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ABSTRACT

Continuing the hearings begun April 14, 1980 on S. 2166, a bill to establish a National Institute of Native American Culture and Arts Development, testimony was heard from 19 witnesses representing the federal government and the administration, interest groups based in the Washington, D.C. area, and several Indian Tribes and Pueblos. Witnesses testifying in support of the bill's intent included representatives of Congress, the National Endowment for the Humanities, the Nations Project, and the Ponca Tribe of Oklahoma. Those testifying against the bill included representatives of the Departments of Interior and Education; the National Congress of American Indians; the Santa Fe/Albuquerque Indian Schools; and the Zia, Isleta, Santo Domingo, Nambe, and Taos Pueblos. Opponents feared that passage of the bill would result in an invasion of cultural privacy, loss of basic educational opportunity for Indian children in the Santa Fe area, possible infringement on religious freedom, and lack of Indian control of the facility. Other testimony concerned funding; the preservation of Indian culture, tradition, and belief; and the renovation of the Albuquerque Indian School campus. The committee reviewed the intent of S. 2166, the text of which is included in the record as is that of H.R. 6266, a companion measure. (SB)

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DEVELOPMENT OF NATIVE AMERICAN CULTURE AND ART—PART 2

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

NINETY-SIXTH CONGRESS

SECOND SESSION

ON

S. 2166

TO PROMOTE THE DEVELOPMENT OF NATIVE AMERICAN CULTURE AND ART

JULY 29, 1980

WASHINGTON, D.C.

Printed for the use of the Select Committee on Indian Affairs

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CONTENTS

	Page
H.R. 6266	13
S. 2166	3

WITNESSES

Abeyta, Joe, superintendent, Santa Fe/Albuquerque Indian School	38
Bernal, Paul, vice chairman, All Indian Pueblo Council	38
Buffalohead, Roger, ethno-historian, Ponca Tribe of Oklahoma	97
Conable, Hon. Barber B., Jr., a Representative in Congress from New York State	23
Deloria, Vine, Jr., University of Arizona, prepared statement	89
Dockstader, Frederick J., prepared statement	96
Duffey, Joseph, chairman, National Endowment for the Humanities, prepared statement	92
Folk-Williams, John A., executive director, the Nations Project, prepared statement	94
Jackson, Emerson, international president, Native American Church of North America	108
Kiva New, Lloyd, Indian educator, prepared statement	95
Knuffke, Darrell, Deputy Under Secretary, Department of the Interior	25
Lovato, Delfin, first vice president, National Congress of American Indians	38
Prepared statement	43
Lucero, Alvino, Governor, Isleta Pueblo	38
Prepared statement	42
McKenzie, Floretta, Deputy Assistant Secretary for School Improvement, Department of Education	35
Pena, Gilbert M., Governor, Nambe Pueblo	38
Prepared statement	41
Robinson, Rose, vice president and director of American Indian programs, Phelps-Stokes Fund	102
Star, Benny, Santo Domingo Pueblo	38
Toribio, Casper, Governor, Zia Pueblo	38
Prepared statement	43
Yates, Herbert, education committee, Nambe Pueblo	38

STATEMENT AND CORRESPONDENCE RECEIVED SUBSEQUENT TO THE HEARING

Force, Roland W., director, Musuem of the American Indian, questions and answers	85
Gunn, Virgil, chairman, Committee on Health, Education, and Welfare, Colville Business Council, statement	137
Letters to Senator Melcher from:	
Biddle, Livingston L., Jr., chairman, National Endowmen for the Arts	138
Furois, Sister Therese Marie, OSB, St. Martin's Priory, Rapid City, S. Dak	142
Hughes, Phillip S., acting secretary, Smithsonian Institution	139
Labaj, Rev. Joseph J., S.J., provincial, Wisconsin Province of the Society of Jesus	144
Marohn, Rev. Donald, St. Ann's Church, Belcourt, N. Dak	143
Small, Dorothy, chairman, Arrow and Spike Association, Inc	145

DEVELOPMENT OF NATIVE AMERICAN CULTURE AND ART—PART 2

JULY 29, 1980

U.S. SENATE,
SELECT COMMITTEE ON INDIAN AFFAIRS,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., in room 6226, Dirksen Senate Office Building, Senator John Melcher (chairman of the committee) presiding.

Present: Senator Melcher and Representative Conable.

Staff present: Max Richtman, staff director; and Susan Long, professional staff member.

Senator MELCHER. The committee will come to order.

Today the committee is continuing hearings on S. 2166 to provide for the development of native American culture and art.

On April 14 of this year, the committee held a hearing on the bill in Santa Fe, N. Mex., at which time testimony was taken from tribal witnesses throughout Indian country with a particular emphasis on Pueblo witnesses.

The focus of today's hearing will be on testimony from the administration as well as other predominantly Washington, D.C.-based witnesses.

At the committee's Santa Fe hearing, many indecisive suggestions were made on how this legislation could be improved; the committee intends to explore some of those suggested changes today to assist us in refining the bill.

At the outset, I would like to make the following observations. The purpose of S. 2166 was never to provide a vehicle for settling the politically disputed situation in New Mexico, although the committee's final product may do so. Rather, the bill was and is intended to establish a national institute which will serve the entire Indian community and the country by creating a focal point for the recognition of Indian art and culture.

Current Federal initiatives in the area of Indian art and culture are fragmented and inadequate. This legislation expresses the importance of a comprehensive recognition of the cultural welfare of Indian people as well as a need for a strong Federal commitment to the preservation, revitalization, and dissemination of Indian art and culture.

S. 2166 not only combines the function of the Institute of American Indian Arts in Santa Fe, N. Mex., and the Indian Arts and Crafts Board, but creates a new National Institute of Native American Culture and Arts Development which includes: No. 1, a center for culture

and arts study; No. 2, a center for Native American scholars; No. 3, a center for cultural exchange; and, No. 4, a museum of Indian arts.

The bill devotes a great deal of attention to the governing board, functions, and constituency of the institute and its various centers. The legislation devotes less attention to the task which the institute and its centers are designed to fulfill.

These hearings are intended to clarify and expand upon those functions. However, it should be noted that many of the specific areas of study to be established by the institute will evolve as a result of the interaction of the board members with their particular constituencies as well as with each other.

It is not the intention of this bill, nor is it the goal of the committee, to politicize, co-opt, or control the great Indian artistic and cultural heritage of this country. We hope that S. 2166 will provide a mechanism whereby Indian art and culture can be enhanced and preserved for the benefit of all people.

The committee hopes that this hearing will establish a record which will help us in presenting to the Senate a bill which reflects the interests of those most concerned with the issues surrounding the development of Indian art and culture of the Indian people.

Our first witness today is Congressman Barber Conable who has introduced a companion measure, H.R. 6266, in the House of Representatives. Without objection, S. 2166 and its companion bill H.R. 6266 will be included in the record at this point.

[The bills follow. Testimony begins on p. 23.]

II

96TH CONGRESS
1ST SESSION

S. 2166

To promote the development of Native American culture and art.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20 (legislative day, DECEMBER 15), 1979

Mr. MELCHER (for himself, Mr. BURDICK, Mr. HATFIELD, and Mr. INOUYE) introduced the following bill; which was read twice and referred jointly, by unanimous consent, to the Select Committee on Indian Affairs and the Committee on Governmental Affairs with instructions, that when ordered reported by one committee the other has 45 days in which to report

---

A BILL

To promote the development of Native American culture and art.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Native American Culture and Art Development Act".

SEC. 2. The Congress finds and declares that (1) American Indian art and culture has contributed greatly to the artistic and cultural richness of the Nation; (2) American Indian art and culture occupies a unique position in American histo-

ry as being our only genuinely native art form and cultural heritage; (3) the enhancement and preservation of this Nation's native art and culture has a fundamental influence on the American people; (4) although the encouragement and support of Indian arts and crafts are primarily a matter for private, local, and Indian initiative, it is also an appropriate matter of concern to the Federal Government; (5) it is appropriate and necessary for the Federal Government to support research and scholarship in Indian art and culture and to complement programs for the advancement of Indian art and culture by tribal, private, and public agencies and organizations; (6) current Federal initiatives in the area of Indian art and culture are fragmented and inadequate; and (7) in order to centralize the Federal Government's effort to preserve, support, revitalize, and disseminate Indian art and culture, it is desirable to establish a national Institute of Native American Culture and Arts Development.

SEC. 3. As used in this Act, the term—

(1) "Indian art and culture" includes, but is not limited to, the traditional expression of Native American language, history, customs, belief, music, architecture, drama, dance, rituals, and crafts;

(2) "Institute" means the Institute of Native American Culture and Arts Development established by this Act;

(3) "Indian" or "Native American" means any person who is a member of an Indian tribe or a descendant of an aboriginal inhabitant of the United States;

(4) "Indian tribe" means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 4. (a) There is established the Institute of Native American Culture and Arts Development, which shall be under the direction and control of a Board of Trustees (hereinafter referred to in this Act as the "Board") established in accordance with subsection (b) of this section.

(b) The Board shall be composed of nineteen members as follows:

(1) twelve members appointed by the President of the United States from among individuals from private life who are widely recognized in the field of Indian art and culture (and a majority of whom shall be Native Americans);

(2) Secretary of the Interior (or his designee);

(3) Secretary of Education (or his designee);

(4) Secretary of the Smithsonian Institution (or his designee);

(5) Chairman, National Endowment of the Arts (or his designee);

(6) Chairman, National Endowment of the Humanities (or his designee);

(7) Librarian of Congress (or his designee); and

(8) President of the Institute (or his designee).

(c) In making appointments pursuant to clause (1) of subsection (b) of this section, the President of the United States shall give due consideration to the appointment of individuals who will provide an appropriate regional and tribal representation on the Board.

(d) The term of office of each trustee appointed pursuant to clause (1) of subsection (b) of this section shall be six years, except that of such trustees first appointed, four shall serve for a term of two years, four for a term of four years, and four for a term of six years, as designated by the President as of the time of appointment. Any trustee appointed to fill a vacancy occurring prior to the expiration of the term to which his predecessor was appointed shall be appointed for the remainder of the term. No trustee appointed pursuant to clause (1) of subsection (b) of this section shall be eligible to serve in excess of two consecutive terms, but may continue to serve until his successor is appointed.

(e) The President of the United States shall designate the initial Chairman and Vice Chairman of the Board from among the trustees appointed pursuant to clause (1) of subsection (b) of this section. Such Chairman and Vice Chairman so designated shall serve for twelve calendar months. The Chairman and Vice Chairman shall thereafter be elected by the trustees appointed pursuant to clause (1) of subsection (b) and shall serve for terms of two years. In the case of a vacancy in the office of Chairman or Vice Chairman, such vacancy shall be filled by the trustees appointed pursuant to clause (1) of subsection (b) and the trustee filling such vacancy shall serve for the remainder of the unexpired term. Until otherwise provided by the bylaws of the Institute, a majority of the members of the Board shall constitute a quorum.

(f) The Chairman of the Board, in consultation with the Board, shall appoint a President of the Institute. The President of the Institute shall serve as the chief executive officer of the Institute. Subject to the direction of the Board and the general supervision of the Chairman, the President of the Institute shall have the responsibility for carrying out the policies and functions of the Institute, and shall have authority over all personnel and activities of the Institute. The Vice Chairman shall perform such functions as the Chairman may prescribe, and shall serve as Acting Chairman during the absence of the Chairman. The President of the Institute shall

be compensated at an annual rate not to exceed that prescribed for GS–18 of the General Schedule under section 5332 of title 5, United States Code.

(g) Members of the Board appointed pursuant to clause (1) of subsection (b) of this section shall, for each day they are engaged in the performance of the duties under this Act, receive compensation at the rate of $125 per day, including traveltime. All members of the Board, while so serving away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(h) In administering the Institute, the President of the Institute, with the approval of the Board, shall have the authority to appoint and fix the compensation and duties of such officers and employees as may be necessary for the efficient administration of the Institute. Such appointments and compensation may be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and chapter 51 and subchapter III of chapter 53 of title 5, United States Code.

(i) The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the adminis-

tration of its functions under this Act, including the organization and procedure of the Board.

(j) The Board is authorized to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5 United States Code, and to accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code.

(k) The Board is authorized to solicit, accept, and dispose of gifts, bequests, devises of money, securities, and other properties of whatever character, for the benefit of the Institute. Any such gifts, bequests, or devises, unless otherwise restricted by the terms thereof, shall be utilized in the discretion of the Board for the purposes of the Institute.

(l) The Board is authorized to receive grants from, and enter into contracts and other arrangements with, Federal, State, or local governments, public and private agencies, organizations, and institutions, and individuals.

(m) The Board is authorized to acquire, hold, maintain, use, operate, and dispose of such real property, including improvements thereon, personal property, equipment, and other items, as may be necessary to enable the Board to carry out the purposes of this Act. At the request of the Board, the head of the Federal department having jurisdiction over any

real property, including improvements thereon, comprising the Institute of American Indian Arts facility located in Santa Fe, New Mexico, shall transfer, by appropriate instrument, all jurisdiction and control over such real property and improvements to the Institute.

SEC. 5. In administering the Institute, the Board shall have all necessary and proper powers which shall include, but not be limited to, the power to establish, within the Institute—

(1) a Center for Culture and Art Studies to be administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include, but not be limited to, Departments of Traditional Arts and Sciences, Visual Arts, Performing Arts, Language, and Literature;

(2) a Center for Native American Scholars to be administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include, but not be limited to, research programs, fellowship programs, and publications;

(3) a Center for Cultural Exchange, administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include an inter-American Indian program, marketing

and promotion of Indian crafts, promotion of Indian art, exhibits and shows;

(4) a Museum of Indian Arts, administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include, but not be limited to, the acquisition of Indian art and the curation and exhibition of Indian art; and

(5) any other centers or programs which the Board determines appropriate to preserve, support, revitalize and disseminate Indian art and culture.

SEC. 6. (a) There are transferred to the Institute and the Institute shall perform the functions of—

(1) the Institute of American Indian Arts established by the Secretary of the Interior in 1962; and

(2) the Indian Arts and Crafts Board established by the Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes", approved August 27, 1935.

(b)(1) All personnel, liabilities, contracts, property, and records as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function transferred under the provisions of this Act, are transferred to the Institute.

(2) Personnel engaged in functions transferred by this Act shall be transferred in accordance with applicable laws and regulations relating to the transfer of functions, except that such transfer shall be without reduction in classification or compensation for one year after such transfer.

(c) All laws and regulations relating to the Institute of American Indian Arts and the Indian Arts and Crafts Board transferred to the Institute by this Act shall, insofar as such laws and regulations are applicable, remain in full force and effect. With respect to such transfers, reference in any other Federal law to the Institute of American Indian Arts and the Indian Arts and Crafts Board, or any officer so transferred in connection therewith, shall be deemed to mean the Institute.

SEC. 7. The President of the Institute shall submit an annual report to the Board concerning the administration of the Institute during the twelve calendar months preceding the date of the report. Such report shall include, among other matters, a detailed statement of all private and public funds, gifts, and other items of a monetary value received by the Institute during such twelve-month period and the disposition thereof.

SEC. 8. There are authorized to be appropriated, for the fiscal year ending September 30, 1981, the sum of $4,000,000 to carry out the purposes of this Act, and for each fiscal year thereafter, such sum as may be necessary.

96TH CONGRESS
2D SESSION

H. R. 6266

To promote the development of Native American culture and art.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 1980

Mr. CONABLE introduced the following bill; which was referred jointly to the Committees on Interior and Insular Affairs and Education and Labor

---

A BILL

To promote the development of Native American culture and art.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Native American Culture and Art Development Act".

SEC. 2. The Congress finds and declares that (1) American Indian art and culture has contributed greatly to the artistic and cultural richness of the Nation; (2) American Indian art and culture occupies a unique position in American history as being our only genuinely native art form and cultural heritage; (3) the enhancement and preservation of this Na-

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tion's native art and culture has a fundamental influence on the American people; (4) although the encouragement and support of Indian arts and crafts are primarily a matter for private, local, and Indian initiative, it is also an appropriate matter of concern to the Federal Government; (5) it is appropriate and necessary for the Federal Government to support research and scholarship in Indian art and culture and to complement programs for the advancement of Indian art and culture by tribal, private, and public agencies and organizations; (6) current Federal initiatives in the area of Indian art and culture are fragmented and inadequate; and (7) in order to centralize the Federal Government's effort to preserve, support, revitalize, and disseminate Indian art and culture, it is desirable to establish a national Institute of Native American Culture and Arts Development.

SEC. 3. As used in this Act, the term—

(1) "Indian art and culture" includes, but is not limited to, the traditional expression of Native American language, history, customs, belief, music, architecture, drama, dance, rituals, and crafts;

(2) "Institute" means the Institute of Native American Culture and Arts Development established by this Act;

(3) "Indian" or "Native American" means any person who is a member of an Indian tribe or a de-

scendant of an aboriginal inhabitant of the United States;

(4) "Indian tribe" means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 4. (a) There is established the Institute of Native American Culture and Arts Development, which shall be under the direction and control of a Board of Trustees (hereinafter referred to in this Act as the "Board") established in accordance with subsection (b) of this section.

(b) The Board shall be composed of nineteen members as follows:

(1) twelve members appointed by the President of the United States from among individuals from private life who are widely recognized in the field of Indian art and culture (and a majority of whom shall be Native Americans);

(2) Secretary of the Interior (or his designee);

(3) Secretary of Education (or his designee);

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(3) a Center for Cultural Exchange, administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include an inter-American Indian program, marketing

and promotion of Indian crafts, promotion of Indian art, exhibits and shows;

(4) a Museum of Indian Arts, administered by a director (appointed by the President of the Institute, with the approval of the Board), which shall include, but not be limited to, the acquisition of Indian art and the curation and exhibition of Indian art; and

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(c) All laws and regulations relating to the Institute of American Indian Arts and the Indian Arts and Crafts Board transferred to the Institute by this Act shall, insofar as such laws and regulations are applicable, remain in full force and effect. With respect to such transfers, reference in any other Federal law to the Institute of American Indian Arts and the Indian Arts and Crafts Board, or any officer so transferred in connection therewith, shall be deemed to mean the Institute.

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SEC. 8. There are authorized to be appropriated, for the fiscal year ending September 30, 1981, the sum of $4,000,000 to carry out the purposes of this Act, and for each fiscal year thereafter, such sum as may be necessary.

Senator MELCHER. Barber, it is a real pleasure to welcome you to the committee this morning. It is delightful and invigorating that a Member of the House with the stature which you have attained in Congress would cosponsor this legislation in the House. Thank you very much.

STATEMENT OF HON. BARBER B. CONABLE, JR., A U.S REPRESENTATIVE FROM THE STATE OF NEW YORK

Mr. CONABLE. Thank you, Mr. Chairman, for welcoming me. I am very pleased to be here.

I am a little outside my field of responsibility, but not outside the area of my interest. I consider the Institute an important potential for a long-neglected part of our American culture.

I have introduced the counterpart in the House. I must confess that I have a special interest in this legislation, and I am going to talk about that more than anything else. However, I see the whole area of the institute as being a tremendous opportunity for us to improve our relationship with Native Americans and their involvement with their culture, their history, their present relationship here in this country.

I have a personal interest in Native American history of long standing. I also share the concern about the need for contemporary Native Americans to be able to continue in the tradition of creative endeavor that has marked their history. This includes the encouragement and fostering of training opportunities for young Indian artists and historians, as suggested by this bill.

It is a sad fact of history that Native Americans have suffered the loss of much of their tradition, languages, organization, and art style. We cannot change history, but we can undertake in a responsible and effective way to expand understanding of their contribution to the culture, the art, and the heritage of our present society and to afford greater opportunities for Native Americans to prepare themselves to participate creatively in contemporary society.

I think one of the greatest untapped opportunities for doing this lies with the specific recommendation of the legislation for a museum of Indian arts. The preservation, exhibition, and study of material culture, artistic creation, the tools, weapons, ornaments, clothing, ceremonial paraphernalia, and all the other physical remnants of the native cultures of America is of vital importance to Indians, Eskimos, and Hawaiians. It constitutes tangible ties to their past. It is their patrimony. It lends them dignity, instills pride, and what is more, by extension, it is a significant part of the heritage of all Americans. Non-natives, too, should be filled with pride in these vestiges of the past. To me, this center can have a major impact on the status of Native Americans in our Nation.

I am certain that my conviction is tempered by my own experiences in the field of Indian culture. That experience includes a familiarity with the foremost collection of Native American artifacts, photographs, and books in the world which is housed in the Museum of the American Indian in New York City. If, in some way, the measure before us could be used as an additional stimulus for preserving and improving public access to this remarkable collection, all of us would be benefited.

It seems remarkable to me that we have a national collection of almost everything but the artifacts of Native Americans. This private museum possesses nearly 1 million artifacts, 40,000 library volumes, and 70,000 photographs, negatives, and prints. I can think of no better, no richer collection on which to base the center called for in this bill.

Such a collection can never be gathered again, but under the right circumstances it could be brought to serve the needs of all Native American institutions and their constituents, providing a Federal link which is not now present and expressing the public interest in some degree of public support for the inadequately endowed national asset.

The vast collection of the Museum of the American Indian contains more material from and about the native culture of America than exists anywhere else. The museum currently provides major exhibitions for display in other areas of the country, but access to its vast collection remains sharply limited by its present resources. The current inadequate facilities are also causing deterioration of many of the treasures in this collection; expanded preservation work is greatly needed. It is evident that a joining of this collection with the national facility proposed by this legislation would bring great rewards for each of them, our Native Americans, and our society in general.

I hope that, in connection with the study of the institute and the provision therein for the establishment of a museum, some effort will be made to find that Federal link which would greatly improve access to this remarkable collection.

Mr. Chairman, I do want to thank you for the opportunity to speak on behalf of this bill. I wish you well in your studies and in the development of its provisions so that all of us can benefit from the opportunities for greater understanding of the American Natives' culture.

Senator MELCHER. Thank you very much, Barber.

The collection that you mentioned is, indeed, an outstanding collection. It is one of the shortcomings of our country that we have not provided——

Mr. CONABLE. It is a private institution, Mr. Chairman, but I think the time has come to develop a Federal link.

I know there are a great many—at least 12—tribal museums that have been built with Federal money. I would like to find ways of getting better access for these museums to the collection of the Museum of the American Indian in New York City. Because of inadequate storage and inadequate access, it seems to me that could be one of the national contributions this private collection could make, of particular significance to Native Americans.

Also, I must say that we are exploring ways of increasing the link to the Smithsonian and possibly also to the Council on Arts and Crafts which is encompassed in this bill. There are many possibilities, and it is my purpose here again to call attention to the existence of this collection, of the need to make better public access to its resources, and to express the hope that somehow, through this bill, we can make them available to the American people and particularly to Native Americans.

Senator MELCHER. I hope we can because it is a shame that, as great as the Smithsonian is, there is hardly anything there to show Native American culture.

Mr. CONABLE. I think you will see a greater emphasis in the Smithsonian also on exhibits of this sort. For instance, I am aware that Roger Kennedy there is preparing to have an exhibit on the Iroquoian culture with which I am particularly familiar. But their collection, while it is a great collection, is nothing compared to the Museum of the American Indian. I would hope that, somehow, we could bring about greater public access, for that reason alone.

Senator MELCHER. I hope we can, because it is disappointing to me that in our Nation's Capital, which can do pretty well getting together tremendously impressive exhibits of art, whether they are Chinese or post-impressionist from Europe, we do not have much going for Native American art and culture.

Mr. CONABLE. We now also have a national collection of African art.

Senator MELCHER. Yes.

Mr. CONABLE. I apologize, Mr. Chairman, for appearing to let the tail wag the dog here. I realize the Institution's needs; you are doing a study; and this legislation centers around the Institution. It is the provision in the legislation for the creation of a museum in connection with the Institution that encourages me to think that there may be some way of combining the two to the benefit of all people and particularly the Native Americans.

Senator MELCHER. I hope we can, Barber. Thank you very much for your testimony and your support.

Our next witness is Darrell Knuffke, Deputy Under Secretary, Department of the Interior.

STATEMENT OF DARRELL KNUFFKE, DEPUTY UNDER SECRETARY, DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C.

Mr. KNUFFKE. Thank you, Mr. Chairman.

We certainly appreciate having an opportunity this morning to present our views on S. 2166, a bill to establish an Institute of Native American Culture and Arts Development.

The administration certainly supports the apparent goals of the bill to recognize the importance of Native American cultural achievement and potential and to establish a strong, dynamic, federally supported educational institution to help insure the cultural vitality of Native Americans. Unfortunately, we disagree with the approach S. 2166 proposes and must, therefore, oppose it.

The Indian Arts and Crafts Board was established in the Department of the Interior by the act of August 27, 1935; 49 Stat. 891; 25 U.S.C. 305. Its purpose is to promote the economic welfare of Indians through the development of Indian arts and crafts production and the expansion of the market for such arts and crafts products. The board has proved to be very successful in this important work.

The Institute of American Indian Arts was created by the Secretary of the Interior in 1962. The Institute has, from the beginning, been a progressive arts school which has encouraged its students to draw upon

their cultural heritages while experimenting in nontraditional media as well as using traditional forms.

The Institute's statement of philosophy sums up the purpose of this approach:

> The underlying philosophy of the program is that unique cultural tradition can be honored and can be used creatively as the springboard to a meaningful contemporary life. The institute holds that cultural differences are a rich wellspring from which may be drawn new creative forces relevant to contemporary conditions and environments. We believe that, ultimately, by learning to link the best in Indian culture to contemporary life, the young Indian will be able to solve his own problems and enrich the world scene in the process.

That philosophy, Mr. Chairman, has governed the institute since its inception. And that philosophy accounts for the fact that the Institute has consistently produced fine Indian artists and continues to produce them today, despite serious management lapses, of which we are all too painfully aware.

A history of inconsistent guidance and inefficient management by the Bureau of Indian Affairs brought the Institute during the past few years to a point that it was operating at far less than its capacity, with nearly as many staff people as students, according to the Department's own inspector general. It was that situation which prompted the Assistant Secretary of Indian Affairs to allow the All Indian Pueblo Council to temporarily transfer high school students to Santa Fe from the Albuquerque Indian School. The Albuquerque Indian School's facilities are old and considered to be unsafe in some cases. The All Indian Pueblo Council found itself 19th on a priority list for new school construction. Simply put, that means 18 other schools were in much worse shape than the Albuquerque Indian School and had much more serious, much more immediate needs.

Faced with an art institute with excess capacity and a contract school with a need, the Department permitted the AIPC to share the Institute's campus temporarily.

The problems emerging from that decision account, in large measure, for the intense interest now being focused on the art institute. The administration certainly agrees with you, Mr. Chairman, that the past pattern of inefficiency and indirection at the Institute must be reversed. We concur wholeheartedly as well that the Institute must not only survive but must thrive, grow, and expand. We are committed to achieving that at the Institute and believe we can do so through steps already underway.

As drafted, S. 2166 would establish a 19-member board to govern an Institute of Native American Culture and Arts Development which would subsume the present Institute of American Indian Arts and the Indian Arts and Crafts Board and take them out of Interior. We believe there is considerable danger in this approach. The Department of the Interior has the broad responsibility for Indian affairs. We believe that the institute derives much of its artistic vigor from its association with the broader world of Indian affairs and that both it and the board would suffer from isolation from that world. The importance of the association is evident in the work of the IAIA graduates and students, particularly in the contemporary work they produce, and that work, over the years, has effectively mirrored the aspirations and the frustrations of Native Americans. It is in that work, the con-

temporary work, that the value of the Institute lies: in helping Native Americans bring their unique cultural and artistic perspectives to bear on an increasingly complex modern world.

Second, Mr. Chairman, S. 2166 does not guarantee that Indian people would adequately influence decisions regarding the proposed institute. The bill provides that only 7 of the 19 members are required to be Indian. If strictly adhered to, the provision would deny the present Institute and the board the Indian leadership and guidance available to them now through the Department.

Third, we believe the definition of "Indian or Native American" in section 3 of the bill is overly broad. According to its terms, nearly anyone claiming to be a "descendant of an aboriginal inhabitant" of the United States could be considered an Indian for purposes of the act. That could, it appears, include Hawaiians, Samoans, and members of groups and bands which are not federally recognized and weaken the present focus of the Institute and Board on Indian Arts and Crafts development.

Finally, and probably most importantly, Mr. Chairman, we do not believe the legislation is necessary. We have no quarrel with the vision expressed in the bill but believe it can be accomplished with the tools and resources now available to us.

The Indian Arts and Crafts Board is presently operating smoothly and effectively within the Department. We believe its transfer to the proposed Institute is thus unnecessary and could result in substantial disruption of the Board's operations.

Despite the turmoil and uncertainties at the Institute, it has not lost its vitality. Despite persistent rumors that the Institute would be abolished, despite repeated claims by the All-Indian Pueblo Council that it would never leave the Santa Fe campus, enrollment during the last school year has increased, though every prediction warned of continued decline.

This is a foundation upon which we can build, a foundation which the Interior Department is now using in efforts already underway.

I would like to describe very briefly for you, if I may, what those efforts entail and what we hope and expect they will accomplish.

After a thorough review of the issue, Under Secretary Joseph recently made a series of decisions regarding the Institute of American Indian Arts.

First, he has directed that responsibility for the Institute be transferred from the Bureau of Indian Affairs to the Office of the Assistant Secretary for Indian Affairs. This, we believe, will give the Institute the attention, visibility, and support it deserves within the Department. Implicit in this decision is the Under Secretary's commitment to the future of the Institute, and that will be clear to those involved about its future.

We believe it is time to remove the Institute from the Bureau because the Institute is generally quite different from other BIA schools. It has never been compatible with them and probably never will be. The Bureau has, over the years, shuffled authority for the Institute from the area office to the central office and back again. It has had five administrators in 2 years. It has never had the stability it needed over a sustained period of time. The wonder is not that the IAIA has suffered; the wonder is that it has survived.

That seems to reflect a lack of commitment over the years, perhaps a lack of interest, in the future of the Institute. We believe it is important now, practically as well as symbolically, to elevate the status of the Institute within the Department while we begin the work of stabilizing the school and providing for its sound, long-term management.

Second, the Under Secretary has directed the Assistant Secretary for Indian Affairs to establish a small management team, using the resources of the Office of the Assistant Secretary for Policy, Budget, and Administration, the Office of Indian Education, and the Native American Council of Regents to develop an efficient management strategy for the Institute. The management team is already at work.

Third—and we believe this is critical for the long-range future of the Institute—we will begin immediately to work with the Native American Council of Regents to clarify and strengthen the council's status so that it can assume, to the extent possible, the functions normally associated with boards of regents in the management and administration of postsecondary schools. Its status now is little more than advisory, and it has long sought a change in that status. I might add, Mr. Chairman, that Helen Redbird, president of NACOR, is representing the council on the management team and is actively involved in this process.

Finally, Mr. Chairman, to resolve the present dispute over use of the campus, the Under Secretary has taken these actions. The All Indian Public Council needs safe, pleasant surroundings for its students and understandably wants them very badly. We intend the immediate renovation of the Albuquerque Indian School so the Pueblo students can be returned there as soon as possible and so the Santa Fe campus can be restored to the use of the Institute.

Meanwhile, the three Pueblo high school grades—10, 11, and 12—will remain at Santa Fe for what we hope will be no more than 2 years. During that time, the Under Secretary has directed that the president of the Institute will have full authority for the Santa Fe campus to eliminate many of the tensions which now stem from shared administration.

In conclusion, Mr. Chairman, we are committed to the preservation and growth of the Institute and the continuation of the activities of the Indian Arts and Crafts Board. We fully believe the resources available through the Department will enable us to achieve those goals in a manner satisfactory to all concerned parties.

That concludes my statement. I will be happy to try to answer any questions you might have.

Senator MELCHER. I am really delighted that we have the administration's viewpoint on what to do with the school down there, but that is not the purpose of this meeting. But let me discuss that first of all with you.

You want to rebuild the Albuquerque school. Is that it?

Mr. KNUFFKE. Yes, sir.

Senator MELCHER. And with how many millions of dollars?

Mr. KNUFFKE. There are two plans available to us. It depends on which of the two we choose. Let me preface that by saying that some surveys that we had taken down there, Mr. Chairman, indicate that the buildings of the Albuquerque Indian School are structurally sound; there is no need to demolish them.

Senator MELCHER. There is no need to what?

Mr. KNUFFKE. To demolish them.

Senator MELCHER. Which ones? There is a whole host of buildings there, some of which ought to collapse any day now.

Mr. KNUFFKE. Well, we think there is adequate space down there to fully accommodate the Albuquerque Indian School and that buildings down there that are not presently in use can be rehabilitated for offices if not for school use.

Senator MELCHER. I am sorry to hear you say that because some of those buildings should not be rehabilitated for anything. It is a waste of money. You have been down there, have you not?

Mr. KNUFFKE. I have indeed.

Senator MELCHER. I would hope that you would look at it again, and I would hope that you would agree with me not to rehabilitate every one of those buildings. Some of them ought to be torn down and removed. Some of them are the sort of structural buildings that are meant to be moved anywhere—the trailer type.

Mr. KNUFFKE. That is correct.

Senator MELCHER. One of these plans would spend so many millions of dollars.

Mr. KNUFFKE. One $5 million, and one about $7 million.

Senator MELCHER. Then, when you get all that done, the Pueblos do not want to move back there; they would rather be at Santa Fe. They would rather have their children there; that is abundantly clear. So you are going to fly in the face of what the parents of the children want to do. Is that right?

Mr. KNUFFKE. We think that we have a higher responsibility, Mr. Chairman——

Senator MELCHER. Than to the parents?

Mr. KNUFFKE. To an institute which is dedicated to all American Indian tribes, and that is the Santa Fe Institute.

Senator MELCHER. Oh, I see. That is good.

Now, have you ever thought—as we have thought—of using SIPI for the art Institute?

Mr. KNUFFKE. We have indeed.

Senator MELCHER. What is wrong with that?

Mr. KNUFFKE. SIPI is approaching capacity. The institution seems to be on the move finally. The figures that we have available now suggest that in 1981 we will probably have 450 students there; the capacity is 500.

Senator MELCHER. How many do you have there this year—today?

Mr. KNUFFKE. I do not know if there is a summer session; they ended school this year with 404 students.

Senator MELCHER. Have you read the testimony before the House Appropriations Committee?

Mr. KNUFFKE. No, sir; I do not have it with me.

Senator MELCHER. Do you know what it was?

Mr. KNUFFKE. I am not familiar with that. I have Dr. Earl Barlow here. He is the director of the Office of Indian Education. He is thoroughly conversant with the situation at SIPI, if you would like to have him join me.

Senator MELCHER. First of all that is quite a marvelous campus at SIPI, and it is regrettable that it is underutilized. If there were 404 students there last year, I think you need to review the testimony which was given before the Appropriations Committee of the House and see what was testified by the administration on how many students were there last year. It is my recollection that it was 150. Where you get 404, I do not know. The Pueblos—they live there—think that SIPI was designed for about 1,200 students.

Nevertheless, it is underutilized, and you are going to have an enrollment figure coming up in a few weeks for this fall, and we will see what it is.

Mr. KNUFFKE. As I said, our projections indicate it should be around 450.

Senator MELCHER. Well, I would hate to think that you would build that big a campus, with all that layout, for just 450 students. That is a second point I would like to make with you. You did not build it, of course, but I would hate to have you think that all that layout's capacity would be 450 students; it was designed for many more than that.

Nevertheless, that is what we are viewing.

I think, first of all, you cannot ignore what the Pueblos want. They want to be closer to their families and with their children. That is a point that cannot be ignored. I do not know why we want to spend some more money at Albuquerque if it does not satisfy the needs of the Pueblos. I do not know why we want to keep arguing about it.

I am not very impressed with what is there at the Albuquerque school. I hate to confess that. But I think it would take an awful lot of changing around, even if it were satisfactory to the Pueblos. Your projected figures of $5 million to $7 million to make it acceptable are probably correct.

But this hearing on this bill is not called to resolve that problem. This committee has a vast interest in solving that problem and I hope we do before this year is out. That is, on this argument with the Pueblos on whether the students stay there at Santa Fe or you are going to move them back somewhere else.

I guess that if you have been looking at Albuquerque, you have also looked at Santa Fe and what is going on there with the storage of all that Indian art—seeing how all that art is crowded in there at the institute.

Mr. KNUFFKE. I have, sir; I certainly have.

Senator MELCHER. It is at high risk, is it not?

Mr. KNUFFKE. That states it very mildly.

Senator MELCHER. It should have been moved out of there last year and not this year, not even waiting for tomorrow. It should have been moved last week, should it not?

Mr. KNUFFKE. It is simply warehoused; I think that is probably the best that can be said for most of it.

Senator MELCHER. Do you have any fire insurance on it?

Mr. KNUFFKE. I cannot tell you that. I can find out and get the committee an answer.

Senator MELCHER. I doubt it. It is generally policy not to have it. But the way that stuff is crowded in there is dangerous. No one who

has anything to do with it believes that is a good way of storing that collection of Indian art.

I would like to see it changed right away—not 2 years from now, but right away. I think it is most dangerous. It is terrible to be doing that.

Without objection, your answer regarding the fire insurance will be included in the record at this point.

[Subsequent to the hearing the following information was received:]

The art collection housed in the IAIA school facility and art museum is not insured against fire or any other type of damages, pursuant to the Federal Government's policy not to insure its own risks (41 CFR Chapter 1 Sec. 1–10.300 to 1–10.305).

Senator MELCHER. You say that this bill does not guarantee that Indian people will adequately influence decisions regarding the proposed institute. The question of how many Indians will be on the 19-member board is open. But 7 out of 19 is certainly a heavy percentage in making the decisions when you compare it to who makes the decisions in the Secretary of the Interior's office, is it not? How many Indians are Assistant Secretaries? The only one I know is gone now, and we are trying to get another one cleared for that spot. There is one Assistant Secretary who is Indian—is that not true?

Mr. KNUFFKE. And through him, down the line, decisions are made by Indians.

Senator MELCHER. Yes; through that one Assistant Secretary. What I am trying to point out is that you think 7 out of 19 is a low percentage. I am trying to point out to you that one Assistant Secretary is that whole, vast bureaucracy you have downtown in the Department of the Interior, who is an Indian, is certainly a much smaller percentage in making any decision about Indian arts and crafts. Is that not correct?

Mr. KNUFFKE. I think that is true, but let me suggest there is an alternative, sir.

Senator MELCHER. What is the alternative?

Mr. KNUFFKE. That is to invest the Native American Council of Regents with the full authority to manage that institution as boards of regents do in other institutions. And that is all Indian.

Senator MELCHER. That is an improvement. But what is wrong with native Hawaiian art? Do you have any prejudice against it?

Mr. KNUFFKE. I have no prejudice against it.

Senator MELCHER. Or Samoan?

Mr. KNUFFKE. None at all.

Senator MELCHER. Good. Your testimony seems to indicate that. It says it could not only be considered Indian for purposes of this act, but, "That could, it appears, include Hawaiians, Samoans, and members of groups and bands which are not federally recognized."

Mr. KNUFFKE. Yes.

Senator MELCHER. Have you recognized every band that you think is going to be recognized?

Mr. KNUFFKE. No, sir; there are some Indian peoples who are not recognized.

Senator MELCHER. I think that is a small point in your testimony.

Mr. KNUFFKE. Maybe.

Senator MELCHER. I think it is a very small point, but does not art stand on its own anyway? If it is native American art, is it not going to stand on its own, whether it is Eskimo, or Hawaiian, or from one of the Plains tribes?

Mr. KNUFFKE. Yes.

Senator MELCHER. Are we supposed to forget about some of the heritage of Indian art that is never going to be recognized? I mean, some tribes are never going to be recognized by the Secretary of the Interior. Are we talking about a whole broad field of Indian art that is historic and may have its roots in tribes that are extinct?

Mr. KNUFFKE. Well, if they are extinct, then I suspect we do not have a problem, Mr. Chairman.

Senator MELCHER. Why not? We have a problem if we have not preserved the artifacts, if we have not traced the culture. Do you not think that some of the Aztec culture has gone into some of our present day tribes——

Mr. KNUFFKE. Indeed; yes.

Senator MELCHER [continuing]. Into their art form. The Aztecs are never going to be recognized or enrolled by the Secretary of the Interior.

Mr. KNUFFKE. I think we are talking about the difference between students and art here, Mr. Chairman.

Senator MELCHER. OK; that is good.

Mr. KNUFFKE. We think all indigenous art forms ought to be a part of this.

Senator MELCHER. As long as that is clear—that we are just talking about students. We are not talking about the art, some of which may have derived from prehistoric times. I get your point; you are talking just about the students who would be allowed to be enrolled.

You start off by saying that you have done a lot with the Indian Arts and Crafts Board. I do not want to read into your testimony any more than is there. But you say it was established in 1935 and its purpose is to promote economic welfare of Indians through the development of Indian arts and crafts. 1935 is 45 years ago? Has it done much along that line?

Mr. KNUFFKE. It has indeed, but it is a fairly narrow focus in the present context. They are more concerned about marketing than they are about the training of artists. We think that those are discreet functions and probably ought to be kept separate, although we do believe they both belong in the Department of the Interior.

Senator MELCHER. I am not so sure that we have accomplished much in 45 years with the Indian Arts and Crafts Board. I am glad of whatever we have accomplished, but I think we can do better—I would hope that we can do better. But that is only one part of the bill—to attempt to do a little better along that line.

Do you not really believe, however, that there is an absolute need for an increased Federal commitment for the development and preservation of Indian art and culture?

Mr. KNUFFKE. I think there is.

Senator MELCHER. If you are just going to give more authority to the Board of Regents, that is fine, but I do not think it really gets too far.

What is the total funding level in the Department of the Interior for Indian art and culture related activities right now?

Mr. KNUFFKE. I do not have figures for the total. I suspect that by the time you consider some aid to tribally controlled museums around the country, it might be fairly sizable. But I have never broken the figures out that way, Mr. Chairman. I would be happy to get them for you.

Senator MELCHER. Yes; we would like to have that. Without objection, those figures will be included in the record at this point.

[Subsequent to the hearing the following material was received.]

Department of Interior programs directly related to Indian art and culture are the Institute of American Indian Arts and the Indian Arts and Crafts Board. Total IAIA funding for fiscal year 1980 is $1,443,800; total fiscal year 1980 funding for the Indian Arts and Crafts Board is $645,000.

Although the Office of Indian Education Programs provides funding to public schools and Indian controlled schools, the amount which is channeled to art and culture related programs is determined by individual schools and, thus, cannot be broken out of the total budget figure.

In addition, Indians are eligible for funding for programs sponsored by National Park Service and the Heritage Conservation and Recreation Service which might be applied to art and culture activities, but these funds have not been earmarked specifically for that purpose.

Mr. KNUFFKE. I can give you funding figures for the Institute.

Senator MELCHER. Yes; we would like to have them. Let us have them.

Mr. KNUFFKE. $1.4 million.

Senator MELCHER. That is for the Institute. Let us have the total array of figures because I am sure we will be asked, from time to time, by Members of Congress just what is being spent right now.

Do you really think you get much input from the Indian people or even have a system for getting much input from the Indian people within the Department to receive and develop programs touching upon Indian art and culture in terms of Indian advisory panels?

Mr. KNUFFKE. I am not sure I understand the thrust of your question, Mr. Chairman.

Senator MELCHER. Let me rephrase it.

What do you have in terms of Indian advisory panels or some sort of prepared dialog with Indian people throughout the country about Indian art and culture?

Mr. KNUFFKE. I do not know that there is any formalized mechanism for that on a regional or national basis—no.

Senator MELCHER. Is there not also something that we have not touched on—neither you nor I—that is important, and that is that Indian art does not begin or end at the borders, in terms of Canada and Mexico? Is there not more of an international thrust to this than we have been talking about?

Mr. KNUFFKE. There is, and there are some mechanisms at the institute, I think, that could build on that international thrust.

It is my understanding that we are probably the only country in the Americas without an institute for indigenous peoples, which I presume is something along the lines that you are proposing in your legislation. I think there is plenty of room for that kind of thing to be done. I guess I also believe pretty strongly, sir, that we have a seed in Santa Fe right now that can grow into that kind of an institute.

Senator MELCHER. I want to end our dialog on that very positive note because there is much more agreement between us than would appear to somebody just reading this transcript. I think we are in basic agreement. I question whether we are in agreement on just what to do or how fast we should attempt to accomplish more positive steps, but I think we can work that out.

I also think this separate problem of what we are doing with the Pueblos and where they have their high school students and what we are doing with the institute, we can work out too.

However, I want to make it clear that I think we are wasting time in trying to envision putting high school students, in 2 years time, back in Albuquerque unless there is a complete shift in the attitude of the parents of those Pueblo students.

Now, if that is a waste of time, then I think the next point is to consider whether or not the institute itself ought to be in Albuquerque at SIPI. I think that is vastly underutilized now. We want to maintain what little local enrollment we have at SIPI. You can do that over there in those buildings that you want to spend $5 to $7 million on, making a high school out of them. I do not believe you should. You can take the few vocational students that are local and put them over there.

If you are going to bring from around the Nation some Indian students who want to seek vocational training down to SIPI at Albuquerque, you might just as well put them at Haskell. You already have facilities there, and they are underutilized.

Then, if that is done, the question evolves down to those students who are local, who are attending SIPI. Where can they go for vocational training if they want to stay in that area?

Mr. KNUFFKE. The local students now comprise just about 50 percent of the student body there; 35 percent at SIPI now are Navajos, and about 13 percent are Pueblos. Based on these figures, that would suggest that something in the neighborhood of 200 students from the vicinity.

You mentioned Haskell, as well, Mr. Chairman. Owing, at least in part, I guess, to economic problems around the country, we are experiencing substantially increased enrollment at Haskell as well. I am told, as of this morning, we are not so very far below capacity there either.

Senator MELCHER. The committee has checked with the president of Haskell, and he said he would have no problem at all absorbing whatever students were sent up from SIPI.

I must stress again that something has to be done immediately to protect the collection of Indian art that is at the institute right now.

Mr. KNUFFKE. We agree with that.

Senator MELCHER. OK, let us not talk about something 2 or 3 years down the road. You do not know when you would ever get an appropriation to even rebuild Albuquerque into a high school. You do not know when you could get the Pueblo students back there even if you did it.

In the meantime, that collection at the institute is definitely in a hazardous storage area.

Mr. KNUFFKE. It certainly is.

Senator MELCHER. Thank you very much.

Mr. KNUFFKE. Thank you.

Senator MELCHER. Before we take the next testimony, I want to add to our hearing record, to be placed in connection with this discussion with Deputy Under Secretary Knuffke on the enrollment at SIPI, the testimony of Mr. McCabe who is the director at SIPI. That is, that the anticipated enrollment for this coming school year is 360.

Mr. Barlow testified before the House Interior Appropriations Committee in March 1980 that the enrollment at SIPI, while around 400, SIPI had a capacity for 600, and he described it as a superb facility. Whether or not it is 600 in capacity or 1,200, as has been suggested by the Pueblos, it is obvious that 360 or 400 means it is certainly underutilized. I just want to make those points clear as part of our record.

Our next witness is Floretta McKenzie, Deputy Assistant Secretary for School Improvement, Department of Education, Washington, D.C.

STATEMENT OF FLORETTA McKENZIE, DEPUTY ASSISTANT SECRETARY FOR SCHOOL IMPROVEMENT, DEPARTMENT OF EDUCATION, WASHINGTON, D.C.

Ms. MCKENZIE. Mr. Chairman, I am pleased to have the opportunity to comment upon S. 2166, the Native American Culture and Art Development Act.

The Department of Education shares with the sponsors of this legislation the belief that it is important for our society to understand and appreciate the diverse cultures that have contributed to the richness of our heritage and, in particular, to understand the special place held by Native Americans. We also believe, as S. 2166 acknowledges, that support and encouragement of Indian arts and crafts is "primarily a matter for private, local, and Indian initiative," and that the Federal role in this area is, at best, supplemental.

Mr. Chairman, because other Federal agencies, including the Department of the Interior and the National Endowments for the Arts and the Humanities have more central responsibilities for providing assistance to Native Americans and support for the arts, the Department of Education defers to their views with respect to S. 2166.

We do, however, want to note that support for Indian education, Native American culture, and arts and crafts is found throughout the Federal Government and that, in our view, this represents a recognition by Federal agencies of the central role Native Americans play in our national life.

Mr. Chairman, the Department of Education is committed to enhancing the quality of life for Native Americans and to promoting widespread awareness of the contributions which they have made to our culture. We believe this commitment is represented through the variety of programs which the Department supports. The largest concentration of funding in the Department for Native Americans is under the Indian Education Act which for fiscal year 1981 has a proposed budget of $101 million.

Administered under the Office of the Assistant Secretary for Elementary and Secondary Education, approximately 80 percent of this budget provides supplementary education programs for Indian students in nonreservation schools, a number of which provide assistance in preserving the arts and other cultural aspects of Indian culture.

Artists and craftspersons from the Indian communities and tribes are often employed in the schools to instruct Indian youth in, for example: dance, painting, wood carving, singing, design, and boatwrighting. The arts are taught as part of a tribe's particular cultural heritage. They are taught as a means of preserving cultural tradition, and they are bonded to the other basic educational objectives of Indian education programs.

We offer as an example the Lac Courte Oreilles-Ojibwa school project in northern Wisconsin. Now in its fourth year of funding, this outstanding program is designed to draw upon the richness of its own unique Indian heritage. It addresses a comprehensive, special cultural and educational need by incorporating both a bicultural, bilingual program as a stimulant for the self-images of some 500 Indian school children. Lac Courte promotes the unity of one particular tribe but also serves as an innovative education alternative model for the varied cultures which reflect the Indian nations of this country.

In addition, a number of the programs funded under the Indian Education Act are working in cooperation with the Bureau of Indian Affairs to support Indian councils and other agencies in preserving different Native American cultures through education.

Under the administration of the Assistant Secretary for Educational Research and Improvement, the Department supports a number of discretionary programs which aim to present the Indian cultures, their heritages, and histories to all people. The Institute for Museum Services is specifically charged through its mandate by Congress with "developing and carrying out specialized programs for," among others, "Indian reservations."

In 1978, IMS funded six institutions that exhibited or ran programs emphasizing Native American culture; in 1979, IMS funded nine such institutions. The Institute of Museum Services has received a large number of applications from Native American museums for its 1980 grant cycle, and the Institute will make every effort to support the most deserving applicants who represent our Native American culture.

The Department's library programs supply materials and resources on Indian tribes and their life experiences. The Mississippi Public Library sponsored an Indian children's traveling art exhibit in many of its component libraries across the State.

Within my office, the Office of School Improvement, the ethnic heritage program awarded grants in 1979 to projects which involved arts as a means to explore and interpret Native American cultures. For example, one project focused on the contributions of Maine Indians in art, music, and drama. This project was conducted in cooperation with the United Indian Museum in Orono, Maine. In other programs, such as arts in education, similar projects are supported so that Native Americans and non-Native American schoolchildren will be exposed to the rich Indian folk culture. These projects take place in the class-

room and are often developed through school and community collaborative efforts.

Mr. Chairman, what I have shared with you today are only the highlights of the types of programs which the Department supports. We believe that education is an integral and vital part of the development and appreciation of a person's cultural heritage. The many museums, institutes, and cultural centers in this Nation, however, are the real repositories and best interpreters for Indian arts and crafts. The Department feels strongly about its commitment to Native Americans and to continuing the Department's efforts to foster growth, understanding, and appreciation for the many cultures of our first Americans.

I appreciate the opportunity to appear before you today to discuss the Department of Education's activities with respect to Native American culture and art. With respect to S. 2166, we defer to the Department of the Interior.

I will be pleased to answer any questions which you might have.

Senator MELCHER. Thank you very much.

I do have a question. Maybe you cannot answer it for me now, but perhaps you can answer it for the record. That is: What do you envision that the Department of Education will be spending in terms of Indian art in the next year, or any given time period. Do you have any figure for that?

Ms. MCKENZIE. I do not have any figures for that because what we would have to do would be to examine a number of programs along with the Indian Education Act program, the ethnic heritage, the arts and education, even some of the other programs within elementary and secondary, and give you a composite figure. I would be glad to submit that to you at a later point.[1]

Senator MELCHER. I think that would be helpful, just as I asked a previous witness to provide us, as nearly as he could, with a dollar figure that is being spent through the Department of the Interior. I think we ought to have a dollar figure, as nearly accurate as possible, through the Department of Education because these are questions that both Senators and Congressmen will ask if they consider the bill.

Ms. MCKENZIE. Mr. Chairman, I would say that we have been criticized within our Indian education program because some consider that we are spending too much money for the arts there. However, we feel that the arts are a tremendous vehicle for education of all kinds, and that basic skills and everything else can be taught through the arts and through culture. So we feel that our expenditures are, indeed, appropriate in using the arts in this case as a major vehicle.

Senator MELCHER. Yes; I am glad to hear you say that because I think it is absolutely true, particularly with Indian children.

Thank you very much for your testimony; it is very helpful for the committee.

Ms. MCKENZIE. Thank you.

Senator MELCHER. We will now hear from Delfin Lovato, first vice president, National Congress of American Indians, Washington, D.C.

Del, would you introduce those who accompany you?

[1] Not received at time of printing.

STATEMENT OF DELFIN LOVATO, FIRST VICE PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS, WASHINGTON, D.C., ACCOMPANIED BY JOE ABEYTA, SUPERINTENDENT, SANTA FE/ALBUQUERQUE INDIAN SCHOOL; CASPER TORIBIO, GOVERNOR, ZIA PUEBLO; GILBERT M. PENA, GOVERNOR, NAMBE PUEBLO; BENNY STAR, SANTO DOMINGO PUEBLO; ALVINO LUCERO, GOVERNOR, ISLETA PUEBLO; PAUL BERNAL, TAOS PUEBLO; AND HERBERT YATES, NAMBE PUEBLO EDUCATION COMMITTEE

Mr. LOVATO. Mr. Chairman, I would like to introduce the people at the table with me. To my far left is Joe Abeyta, the superintendent of the Santa Fe/Albuquerque Indian School. Next to him is the governor of the Zia Pueblo, Casper Toribio. Next to him is the governor of the Nambe Pueblo, Gilbert Pena. To my right is Benny Star who is here for the Pueblo of Santo Domingo and also represents the education committee of the county pueblos. Next is Gov. Alvino Lucero of the Isleta Pueblo. And to my immediate right is Mr. Paul Bernal, representing the Taos Pueblo and also the vice chairman of the All Indian Pueblo Council.

Senator MELCHER. Do you have prepared testimony?

Mr. LOVATO. We have prepared testimony, Mr. Chairman.

Senator MELCHER. May I have a copy of it?

Mr. LOVATO. Yes.

I am going to summarize my statement, Mr. Chairman, if I may.

Senator MELCHER. All of your testimony will be made a part of the record, and you may summarize it.

Mr. LOVATO. Thank you, Mr. Chairman.

Senator MELCHER. Without objection, they will be included in the record at the end of your testimony.

Mr. LOVATO. In addition to my statement, I also have an analysis of the Southwestern Indian Polytechnical Institute which was done by members of the Division of Education for the All Indian Pueblo Council and also some pertinent correspondence and resolutions which we feel are important to this particular hearing. We would like to have those made a part of the record, sir.

Senator MELCHER. Yes; they also will be made a part of the record.

Mr. LOVATO. Mr. Chairman, I come before you today as the vice president of the National Congress of American Indians, and at the very outset, Mr. Chairman, I would like to take this opportunity in behalf of NCAI to thank you and other colleagues within the Senate who have expressed a keen and sincere interest in promoting and preserving Indian art and culture. We think that type of activity has been long overdue, and while we might disagree in terms of methodology, we strongly support your efforts and those of other Members of the Senate in promoting and preserving Indian art and culture.

In addition, I think it is important to state at the very outset, Mr. Chairman, that we are not against the approach which has been taken by S. 2166. We think, with some revisions, that it could be a workable legislative solution to, not only preserving Indian art and culture, but also to the dilemma which faces the Pueblo people in terms of continuing their efforts in self-determination and the education of their children.

With that, Mr. Chairman, I would first of all like to express my remarks in terms of S. 2166. As you may well know from the hearings you conducted in Santa Fe, N. Mex., the Pueblo people and, to a large extent, the general consensus of NCAI, has been that the scope of the bill was far too broad and delved far too deeply into areas which many of the Indian people consider sacred, which they consider a part of their religious life. They felt that those things, such as dances, languages, and rituals, as the bill mentions, as well as songs, should not be contained in the legislation itself; they should not be institutionalized.

They strongly feel that S. 2166 or any program dealing with the preservation of Indian art should be limited to the art education aspects.

Second, the National Congress strongly feels that the board, as proposed in S. 2166, does not lend itself to the type of Indian involvement that we feel is necessary. We feel that the board, if allowed to be established in the manner that is spelled out in the bill, would basically provide for a majority of people who are already predetermined. It does not guarantee adequate Indian involvement in terms of the appointments by the President.

We feel that the Indian people themselves should be in a position through the tribal governments, through the two national organizations, to participate on such a board in providing advice and consultation in terms of the operation and administration of an institute, if there is to be one.

Third, Mr. Chairman, the National Congress has concerns with the provisions which give the board and the president of the proposed institute broad powers in terms of appointment of personnel. Our questions and concerns lie with the Indian preference laws. How will that affect Indian preference? Will it be considered? If not, what will happen to the present statutes and laws governing the employment of Indians?

Last but not least, Mr. Chairman, we strongly feel that there needs to be a vehicle by which the tribal governments and the Indian artists can be involved; can have an input into the planning, the formation, and ultimately the administration of an institute for the preservation and protection of the arts.

We strongly feel that the way the bill reads, we are opposed to it. We do not feel that, without the safeguards and the recommendations we have provided, the bill would provide for a meaningful institute which would guarantee the type of involvement and participation from the Indian community which we have seen lacking in all of the efforts that have gone on up to this point.

We offer our assistance, to work with you and the members of the Senate Select Committee in bringing about such a board or administration to promote Indian art and culture.

Mr. Chairman, at this point I would like to take the opportunity also to speak as chairman of the All Indian Pueblo Council on some issues which were addressed this morning by the administration.

Senator MELCHER. Del, you are welcome to do that under the time constraints we have, which is about 3 or 4 more minutes. I think we made it clear what we are having the hearing on. I think you know

my viewpoint. I am the only member of this committee who is here, but I think I am speaking for the committee.

Mr. LOVATO. Fine. Thank you, Senator.

I think the only point I want to raise here is this. We constantly have heard the word, "we"—we, we, we—by the administration. Not once have we had an opportunity to hear from the supposedly strong grassroots support which exists for the activities which are going on in Santa Fe.

We strongly feel that historically, morally, and otherwise, we have a right to the facility in Santa Fe. We have no intentions of using the Albuquerque campus as an alternative to Santa Fe. The administration has not taken a look at the Albuquerque campus. The vandalism, the drug traffic, the location of the campus itself are not conducive to the educational well being of the Pueblo kids. We do not want that campus renovated. We agree with you: It is a waste of time and effort.

We support the proposition that you have presented in terms of moving the IAIA program to SIPI. It will receive stronger consideration. We feel that that is a good solution to a problem.

Our figures differ greatly from those that have been presented by the administration in terms of enrollment both at SIPI and at Haskell and also at the Institute of American Indian Arts.

Senator MELCHER. All right. Thank you, Del.

We just have so much time this morning. The Senate is already in session. That is why I do not want to belabor the point. I agree that it would be foolish to try to renovate Albuquerque. I think that, perhaps, is the attitude of our committee, at least those on the committee who have considered it. But there are only five of us. I think the majority of us figure it would be foolish.

However, there are others in Congress who have a different viewpoint. You understand that too.

Mr. LOVATO. Yes.

Senator MELCHER. The purpose of this bill is not to resolve the argument over whether or not the Pueblo high school students are in Albuquerque or Santa Fe. But the bill itself may contribute to resolving that; I do not know.

Nevertheless, if we do not pass a bill this year—which we may or may not—it is still my intention to press forward with moving that art collection and the institute out of where it is now. It is simply wrong to have it there. It is in a dangerous situation in terms of protecting it, either from fire or just from normal atmospheric conditions there. They certainly cannot display it. It is very cramped where it is now.

I would hope that SIPI would be used because it is terribly underutilized now, and it is a very fine campus, and the facilities are there which could lend themselves for the institute immediately, not some time off in the future.

That is a point aside from the general thrust of this bill, and I do want to complete this hearing this morning.

I want to express my appreciation to all of you for being here. I do recognize your position on the bill. It does not astound me at all what the NCAI's current position is. I have—and I will make part of

the record—their position on October 4; less than a year ago. It says it was adopted by a margin of 4 to 1 by the general assembly and the National Congress of American Indians on October 4. That was held at Albuquerque, by the way. They were overwhelmingly in favor of this type of legislation.

So I think we will be able to work out eventually anything that is necessary to pass the bill. But that is aside from this pressing problem that you face on whether or not your students are going to stay in Santa Fe where you, not only as the governing representatives of the Pueblos, but also the parents of those students, have decided that it is better for your youngsters to be. I happen to support that attitude.

So we will work on it and see whether we can get a resolution on, first of all, the question of where the institute is going to be housed. I, personally, would hope we could convince the people here in Congress that it would be much better to have the institute housed at SIPI. That is just one thing. I hope we can pass a bill such as we have, but they are separate things.

We have had a lot of work to do with this bill. The purpose of this hearing is to get more input than we had at Santa Fe. We may have another hearing before the year is out on the bill to see what other input we can get and what other suggestions we can get.

Mr. LOVATO. Mr. Chairman, I just want to point out, in conclusion, that the vast majority of the Indian tribes and the Indian people in this country support the position of the Pueblo tribes, and I think that is an important fact.

Senator MELCHER. You mean on the high school?

Mr. LOVATO. Absolutely.

Senator MELCHER. Thank you all very much.

At this point, I will make part of our hearing record the Resolution 80–73 of the National Congress of American Indians dated October 4, 1979, which I have just referred to.

[The prepared statements, resolution, and analysis follow. Testimony resumes on p. 81.]

PREPARED STATEMENT OF GILBERT PENA, NAMBE PUEBLO

My name is Gilbert Pena. I am the Governor of the Pueblo of Nambe, which is located in northern New Mexico. I am also speaking on behalf of Eight Northern Indian Pueblos Council, an organization composed of the eight Pueblo tribes located in the northern part of the State. Nambe, as well as the other tribes, is a traditional Pueblo, having maintained its language, customs, and traditions intact over the centuries.

We have very strong feelings about the Indian School in Santa Fe and are concerned about the possible effects of Senate Bill 2166 on that school.

We are grateful to this Committee for its interest and concern for Indian art and culture, and for the good faith feeling of this committee, and particularly Senator Melcher, in supporting an institute to aid in the preservation of Indian art and culture. From the standpoint of the Pueblos, we have serious misgivings about whether our art and culture can be taught and learned in an academic environment. The Pueblos learn and maintain their tradition on a personal basis, it being passed on from generation to generation in an oral tradition and in great secrecy. Without this old tradition and each tribe maintaining its privacy, our tradition would be lost, not preserved. We do not propose to speak for all of the tribes in the country. They may feel differently, but the Pueblos feel very strongly on this point.

The Art Institute should not be located at the Santa Fe Indian School. The Santa Fe Indian School should be returned to its original purpose of serving

Indian students in basic education. The facility was designed as a secondary school, is eminently suited for that purpose, and that purpose should be resumed. The facility, from an economic standpoint, can only be utilized as a secondary Indian school. Needless to say there is an immense need for this facility to serve Indian students. There is simply no other facility available for our students, and our young people will suffer if this school facility is not turned over to the exclusive purpose of educating them.

Thank you for the opportunity to present my views and those of the eight northern Pueblo Governors on this occasion.

PREPARED STATEMENT OF ALVINO LUCERO, GOVERNOR, PUEBLO OF ISLETA

Mr. Chairman and members of the committee, thank you for this opportunity to present testimony on S. 2166, the "Native American Culture and Art Development Act." I am Alvino Lucero, Governor of the Pueblo of Isleta.

First, on behalf of the Tribal Council of Isleta Pueblo, I am in full support of the position of the All Indian Pueblo Council and fully support the comments and statements which have been made by my fellow governors from the various Pueblos. I too, must reiterate the opposition to S. 2166 for it clearly is intended to drive our excellent high school program out of the Santa Fe facility. Historically, this facility belongs to the New Mexico Pueblos, and we as Pueblo leaders cannot understand how a Congressman or special-interest groups are so insistent in trying to gain control of this facility under the guise of "trying to save Indian culture and art." We cannot understand how a handful of individuals who call themselves "Indians" can challenge the weight of tribal opinion which supports our position. If the Navajos and Zuni Pueblo want this facility, then build it on their lands or elsewhere, but, leave the Santa Fe Indian School for the Rio Grande Pueblos students. Unfortunately, this whole controversy to control our own educational future of our children has been created by a handful of individuals who do not represent tribal government but rather their own private interests.

Second, Isleta Pueblo does not want the Congress to interfere with our tradition and culture. Our language, history, customs, belief, music, dance, and rituals belong to us and we will not tolerate any white man or anyone else telling us how to preserve them. We consider any attempts by anyone to teach or convey by any means that which we consider "ours" an intrusion into our private religious rights. Our Indian religion has prevailed because we guard it closely and will continue to do so with all intensity. It is with this in mind, that we are opposed to any attempts to institutionalize our language, songs, beliefs, history and rituals.

We know and understand that some tribes, other than Pueblos, have lost their identity and their rituals, language, etc., and attempts are made to try to revive or collect data to determine how the "lost-tribes" lived. To you this data would be history by which those who don't know can learn from this history. But let me emphasize that we Pueblo people are not lost, so please don't try to "save" us. The U.S. Government's efforts to preserve, support, revitalize and disseminate Indian art and culture would be an intrusion on our religious beliefs that no white man has any business to try to save that which is sacred to us. If there is to be an art institute or museum, then build it elsewhere outside of Pueblo territory. In the past, Pueblo lands and "shrines" have been lost through poor legislation which had no bearing towards the feelings and concerns of Pueblo Indians. Don't let this bill be another of these mistakes. Please have sympathy for our concerns and leave Pueblo arts and culture to the Pueblo people for our culture and traditions have survived similar attempts by the Spanish and Mexican governments.

Let me further emphasize that we most certainly will outlive any efforts by anyone to interfere with that aspect of our way of life. The tricentennial commemoration of the Pueblo revolt of 1680 is here to help us celebrate this event by listening to our concerns and doing away with S. 2166.

The concerns that I have expressed here in front of this committee are the concerns of my Pueblo Indians who have lived in their respective Pueblos, since, before the white men ever stepped into what we now know as the United States of America.

Indian self-determination has been given to the American Indians, and, what I would like to see is that we be given the opportunity to determine our own destiny.

Again, thank you for giving me this opportunity to present my views and testimony on S. 2166.

PREPARED STATEMENT OF CASPER TORIBIO, GOVERNOR, ZIA PUEBLO

Senator Melcher, my name is Governor Casper Toribio. I am the appointed Governor of Zia Pueblo. I am here on behalf of my Pueblo people—not only the Pueblo of Zia, but all of the Pueblo people of New Mexico.

As a tribal leader and a parent, I am concerned about the education of all our young people. As you know, the Governor's job is a very important and responsible position. I am charged with the responsibility for providing leadership and direction regarding all aspects of community life; that includes our water rights, land rights, energy development and those areas so important to our society. In order for us as Indians to survive and to continue our culture, education is of major importance.

After many years, the Pueblo people have been able to contract the operation of its own school through Public Law 93-638. For the first time as a tribal leader I am able to have a voice in the education of our kids. The program that we started in Albuquerque in 1977 has been a good program, a successful program and we wish for it to continue and to grow.

You probably have heard that the facilities in Albuquerque are very, very old and not safe for our youngsters. Because education is so important for our future, we have not let the conditions of the facilities in Albuquerque discourage us, but what we have chosen to do is move our kids to our old school in Santa Fe.

The school in Santa Fe was established years ago as a high school for our kids and over the years somehow we lost it. As a matter of fact, I attended that school and I am proud to say that I graduated from Santa Fe Indian School in 1954. Since that time, that school—called the Institute of American Indian Arts—has gone down. The enrollment has dropped and the BIA started to close many of the buildings.

I think that it is fair for the government to give that school in Santa Fe back to our kids and give us the chance to prove that we can run our own educational programs and do a good job at it.

You must not deprive my children from a good basic education in safe and healthy facilities. Please don't make the basic right of an education for our kids a political issue, but help us make self-determination something that is real.

On behalf of the Pueblo of Zia and the New Mexican Indian Tribes, I thank you for giving me this time to bring you this message. Thank you.

PREPARED STATEMENT OF DELFIN J. LOVATO, VICE-PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS BEFORE THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. Chairman and members of the Senate Select Committee on Indian Affairs, my name is Delfin Lovato, I am the Vice-President of the National Congress of American Indians, and I also serve as the Chairman of the All Indian Pueblo Council which represents the nineteen (19) Pueblo tribes of New Mexico.

I come before you today on behalf of the National Congress of American Indians, which represents approximately 151 federally recognized Indian tribes, as well as many other individual Indians. I have accompanying me today several Pueblo Governors and the Secretary of the National Congress of American Indians: Governor Alvino Lucero of Isleta Pueblo; Governor Victor Montoya of Sandia Pueblo; Mr. Benny Starr, Councilman from Santo Domingo Pueblo; Mr. Paul Bernal, Vice-Chairman of the All Indian Pueblo Council, and Taos Pueblo Councilman; and, Ms. Ella Mae Horse of the National Congress of American Indians.

Mr. Chairman, on behalf of the National Congress of American Indians, I take this opportunity to thank you and several of your colleagues for your interest in preserving and fostering Indian art, culture, and tradition. Like you and

other members of the Senate Select Committee, including Senator Pete Domenici of New Mexico, the National Congress of American Indians has given the proposed legislation before this Committee a great deal of deliberation and debate. It is a result of this deliberation and debate that the National Congress of American Indians comes before this Committee in strong opposition to S. 2166, "The Native American Culture and Art Development Act." While the National Congress of American Indians commends you and the co-sponsor of this legislation for your efforts to define the role of the Federal Government and Congress (if any) in the protection, preservation, and promotion of Indian art and culture, the general consensus of the National Congress of American Indians membership is that S. 2166 goes too far and too deep.

As you have no doubt learned from the testimony of the Pueblo Governors at the hearing held in Santa Fe, New Mexico on April 14, 1980, Indian tribes, especially the Pueblos, do not want anyone including the Federal Government or the Congress, intruding or interfering with "Native American language, history, customs, beliefs, crafts, songs, dances, or rituals" as suggested by S. 2166.

The Congress of American Indians further opposes S. 2166 for the following additional reasons:

(1) The National Congress of American Indians strongly feels that the Santa Fe facility historically belongs to Pueblos and other Albuquerque area tribes, and is a facility built for these tribes as a junior-senior high school. The facility was not built to accommodate an art school. S. 2166 as it presently reads totally disregards the interest of the Pueblo tribes and the continuation of their successful efforts at self-determination in the education of their children under provisions of Public Law 93-638, "The Indian Self-Determination and Educational Assistance Act of 1973".

(2) S. 2166 proposes the creation of another national board composed of nineteen members, predetermined and/or appointed by the President. Without a doubt such a board will be dominated by non-Indian bureaucrats and pseudo Indian intellectuals. Tribal governments and the mass of Indian artists and craftsmen who form the core of Indian art and culture are totally neglected.

(3) S. 2166 provides that the new Institute would be independent of BIA and apparently all other administrative and statutory requirements, such as Indian preference, tribal consultation, and is even empowered to dispose of portions of the Santa Fe facility if it deems it is in the best interest of the Institute.

(4) S. 2166, as well as other legislation which has been introduced in this session of the Congress, have failed to rally the support of a vast majority of Indian tribes and Indian artists, with the exception of a few individuals who either have a vested interest in the Santa Fe school via employment or business, who apparently feel that Indian art, culture, and tradition can only be preserved through institutionalization. Indian country has placed a high priority on the efforts of the Pueblo tribes in providing a first-rate education for their children at the Santa Fe facility.

Mr. Chairman and members of this Committee, it is for these and other reasons that the National Congress of American Indians strongly opposes S. 2166. Furthermore, the National Congress of American Indian feels that basic Indian values, tradition, religion, and customs, are being grossly misinterpreted or overlooked by the well-intentioned psychological elite art community. The voice and concern of the vast majority of Indian tribes on this issue, as well as the educational well-being of 350 Pueblo, Navajo, Apache, and Ute children are totally disregarded by the Department of Interior and BIA. Individuals who do not know what they are doing and have never been to Santa Fe to see the financial waste, mismanagement, and gross under-utilization of the Santa Fe facility are making decisions which will have adverse affects on the educational aspirations of the Pueblo people.

Only within the past month, the Under Secretary of Interior, Mr. Jim Joseph, totally disregarded the recommendations of the Departmental Task Force which he appointed to review and make recommendations on the future of the Institute of American Indian Arts (IAIA) and the Santa Fe Indian School (SFIS). Mr. Joseph has determined that the Pueblo, Apache, Navajos, and Ute children currently attending Santa Fe Indian School at Santa Fe will be transferred back to Albuquerque by 1982. The Secretary Further states that the old Albuquerque Indian School (AIS) will be renovated at the cost of $7-10 million. The fact that the Albuquerque Indian School campus is totally not conducive to an educational facility was never considered. The Albuquerque Indian School

campus is located in downtown Albuquerque and our children have been subjected to assault and battery, rape, murder, and drug traffic. Local police files will verify this. Secretary Joseph also determined that the entire Institute of American Indian Arts facility will now be under the jurdisdiction of the Institute of American Indian Arts Superintendent. As a result, we have been advised that effective August 1, 1980, we will be denied the use of the library and certain academic facilities. This decision is in total disregard for our agreement reached in August 1979, regarding the joint use of the Santa Fe facility.

Mr. Chairman, the Pueblos have no intentions of vacating the Santa Fe campus in 1982, or to be denied the use of any facilities which were agreed to in August, 1979.

The National Congress of American Indians, in view of the growing friction and most important, after carefully considering the facts and reality which exists at the Santa Fe facility, strongly recommends the following:

(1) That the Pueblo tribes be allowed to continue their efforts at self-determination at the Santa Fe Indian School campus.

(2) That if [illegible]e is to be a national art institute, then a first-rate facility should be built [illegible]location to be determined by the Indian tribes and administered in the sam[illegible]ner.

(3) That th[illegible] the Federal Government in art and culture be limited to art educatio[illegible]hat culture and religious aspects of Indian tribes be excluded from suc[illegible]nstitution.

The Pueblo leadership has a strong recommendation—that the Institute of American Indian Arts be moved to another post-secondary school such as the Southwestern Indian Polytechnic Institute (SIPI), which is also suffering from low enrollment and a high per pupil cost. Furthermore, a recently completed study of the Southwestern Indian Polytechnic Institute, located in Albuquerque, clearly and strongly supports this alternative which you, Senator Pete Domenici, and others, have considered. I feel strongly that the National Congress of American Indians would support such a move.

In conclusion, Mr. Chairman, S. 2166 abolishes the Indian Arts and Craft Bill, as well as the Institute of American Indian Arts Board of Regents. The history of both boards demonstrates beyond a doubt that the bureaucratic approach to protecting and promoting Indian art has been a gross failure. Only the Indian people can preserve Indian art, culture, and tradition. The Pueblos are living proof of this.

Thank you for this time to address you.

[illegible]-831 O - 80- 4

IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
ALBUQUERQUE AREA OFFICE
P. O. BOX 8327
ALBUQUERQUE, NEW MEXICO 87198

Area Office of Education

RECEIVED
JUL 25 1980
AIPC

23 JUL 1980

Mr. Delfin Lovato
Chairman
All Indian Pueblo Council, Inc.
P.O. Box 6507
Albuquerque, NM 87107

Dear Mr. Lovato:

In a preliminary review of your FY 81 proposal for the administration and operation of AIS/SFIS, we have noted two problem areas. The Institute of American Indian Arts (IAIA) now reports directly to the Assistant Secretary for Indian Affairs. This means that all matters affecting the operation of that facility, such as the contracting of plant operation and maintenance, must be reviewed and approved by the Assistant Secretary's office. Also, we have been directed by the Assistant Secretary's office not to make any changes relating to the size or scope of programs located on the Santa Fe campus. Therefore, the move of the 9th grade to Santa Fe must also be reviewed and approved by his office.

Since we cannot approve your contract application until we have appropriate clearance on the above matters, your proposal will be held without further action pending approval or disapproval from the Assistant Secretary's office.

Sincerely yours,

Juanita D. Gata
Area Education Programs Administrator

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

Sill Cy ✓

10/11/79

Exhibit IV

RESOLUTION 80-73

of the

National Congress of American Indians

WHEREAS, the Institute of American Indian Arts was established by the American Indian people to educate our Native Americans in an atmosphere conducive to learning and sharing of talents, and

WHEREAS, this seventeen year old institution has produced many of our most talented Native American artists who are both nationally and internationally recognized, and

WHEREAS, there is uncertainty and fear among the students of the Institute that they may be removed from their place of learning without having an alternative institute where they can continue their education,

NOW, THEREFORE BE IT RESOLVED, that the National Congress of American Indians hereby requests the Department of Interior to retain the Institute of American Indian Arts at its present location, and

BE IT FURTHER RESOLVED, that the National Congress hereby requests the Department of Interior to provide sufficient funds to allow the All Indian Pueblo Council to build a school to house and educate their children to resolve the present conflict caused by the need for an education facility.

Adopted by a margin of approximately four to one by the General Assembly of the National Congress of American Indians on October 4, 1979 in Albuquerque, New Mexico.

IAIA Task Force / Office of the Asst. Secretary / Department of Interior

SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE

an

Analysis

Prepared by

THE ALL INDIAN PUEBLO COUNCIL

1980

TABLE OF CONTENTS

		Page
I.	Background Information	1
II.	Statistical Summary	3
Attachment No. 1 -	Instructional Capacity	4
Attachment No. 2 -	Boarding Capacity	19
Attachment No. 3 -	Campus Lay-out	31

SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE

Background

In 1960 when the All Indian Pueblo Council was informed that the Santa Fe Indian School was to be converted into a school of fine arts for a nation wide student body, the effort started to plan for the development of a comprehensive Indian high school program in Albuquerque. In 1965 a memorandum from the Area Director provided justification for the proposed new school and included a safety survey report on the school plant at the present Albuquerque Indian School.

Through the efforts of Senator Clinton P. Anderson (New Mexico) the Bureau of Indian Affairs was instructed to plan for an integrated Albuquerque replacement.

New Mexico Legislative Joint Memorial No. 14 of March 16, 1966 urged the U.S. Congress to appropriate funds for a "New Albuquerque Indian School." Because Senator Anderson was not totally supportive of a separate facility for the education of Indians, the BIA was pressed into initiating plans for the feasibility of a new school, providing benefit to Albuquerque and to the State.

A report prepared in 1967 to the Secretary of the Interior and to the Commissioner of Indian Affairs proposed

1. A limited elementary enrollment
2. A secondary enrollment
3. Bordertown and post-high school technical vocational program

In May of 1967 the BIA made changes in the original plans. The Plant Design and Construction Branch provided cost estimates for a vocational complex. The idea of an Elementary, Secondary and Bordertown Program was dropped.

Redirection of Future Plans

The recent (1978) North Central Accreditation Committee evaluation of Southwestern Indian Polytechnic Institute, future market potentials needs to be re-evaluated. Phase II of SIPI's development planned for a machine trade and a building trade curriculum. Included in this phase was also to be built a "New Dormitory" and two (2) new instructional buildings. However, the BIA's new construction priority system eliminates the construction of the previously new facilities

- 1 -

SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE
Background

Construction Began in 1969

A. Thirteen Buildings
B. Cost $8,890,000
C. 164-acre tract on west bank of the Rio Grande

School Opened in 1971

A. Operated by a "School Board"
B. 1973 changed to Board of Regents - 11 members
C. Accredited by North Central - March 7, 1975; extended 1978

Operating Authority

A. Granted by Commissioner of Indian Affairs
B. Constitution & By-laws incorporated under New Mexico State laws - November 25, 1974

Basic Task

A. Provides vocational-technical training and related skills to Indian youth and adults

Summer Quarter Excluded 1979 (6 weeks)

A. Lack of funding to meet operating and maintenance expenditures
B. Inadequate funding for a 12-month instructional program

Evaluation Points to:

A. Elimination of marginal and irrelevant programs
B. Inventory of courses each instruction is accredited to teach
C. Possible elimination of open entry/exit approach
D. Re-scheduling of courses to better utilize staff
E. By end of 1979 - additional 27 full-time permanent and 1 temporary could be abolished
F. Recruitment of "better quality and more serious" students

STATISTICAL SUMMARY

Staff

	Staff Permanent	Staff Other	Total
A. 1976	97	104	191****
B. 1977	93	55	148****
C. 1978	93	56	149****
D. 1979	59	59	118****

Capacity

Design		Space Use/Capacity (1979/80)	
A. Academic	1,254*	A. Academic (327 students)	26%*
B. Boarding	512**	B. Boarding (253 students)	50%**

Cost of School Operation		Enrollment (FME)***	Cost Per Student
1976/77	$3,253,223 T	337	$9,653.48
1977/78	3,788,005 T	354	10,701.00
1978/79	3,699,013 T	365	10,134.28
1979/80	3,454,807 T	327	10,56[illegible].13

"T" includes cost of plant management

* See Attachment No. 1
** See Attachment No. 2
*** Enrollment of Full-Time Membership Determination

The enrollment system at SIPI is some what irregular because of the open entry/open exit concept. Full-time membership is determined by computing each student's attendance by the number of days student was in enrolled status during each quarter.

1976/77 Example:	Summer	Fall	Winter	Spring	
	198.71	462.60	423.32	318.02	= 337.28
				Rounded to	(337)

****Does not include employees in plant management contract

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ATTACHMENT NO. 1

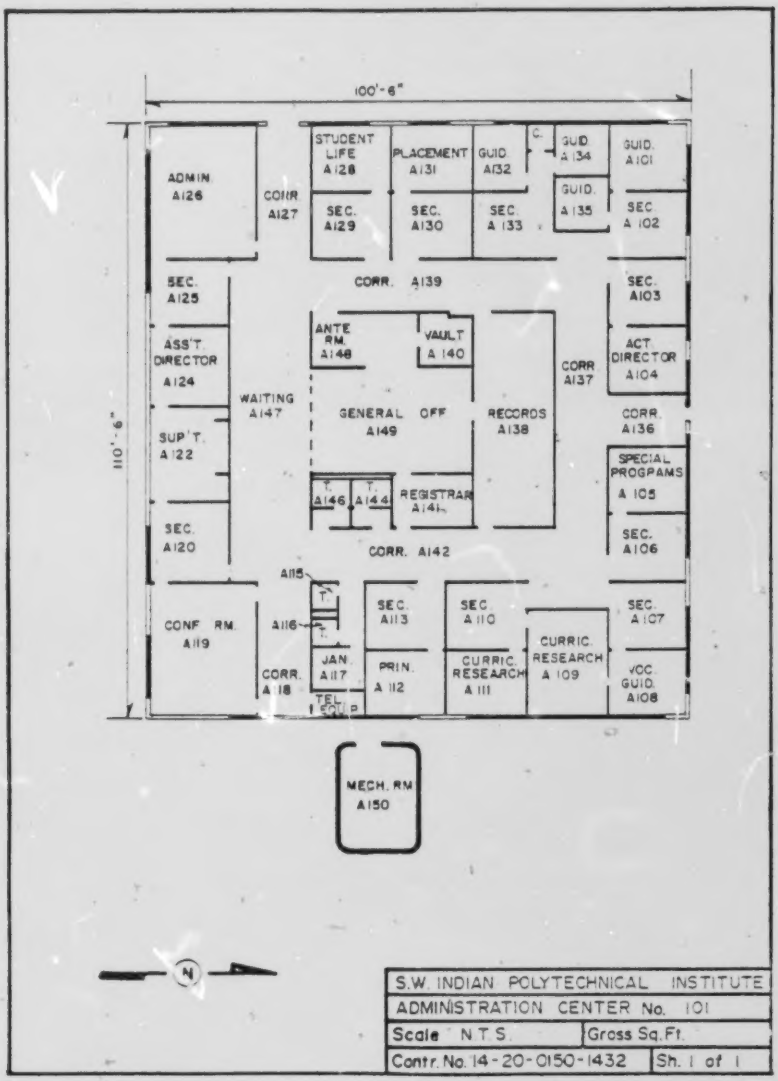
INSTRUCTIONAL CAPACITY

SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE

Design Capacity - 1254 students

Space Use Capacity - 327 students
(1979/80)

Percentage of Space
Use to Design Capacity - 26%



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ADMINISTRATION CENTER No. 101	
Scale N.T.S.	Gross Sq. Ft.
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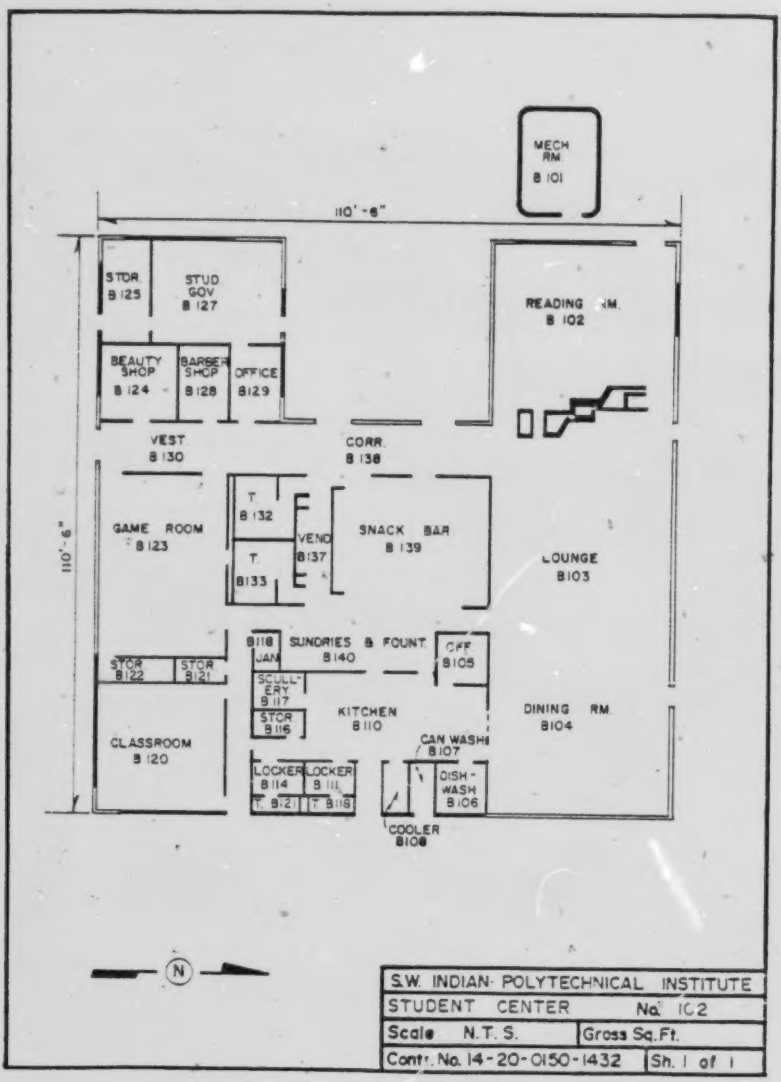

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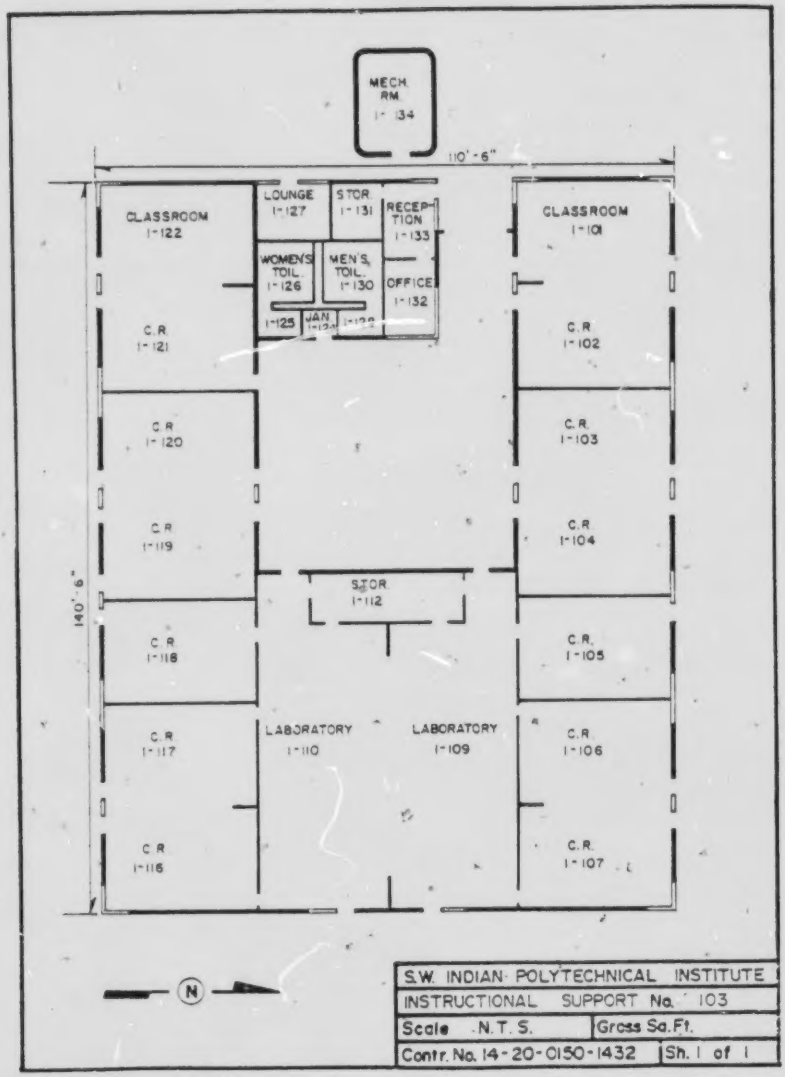

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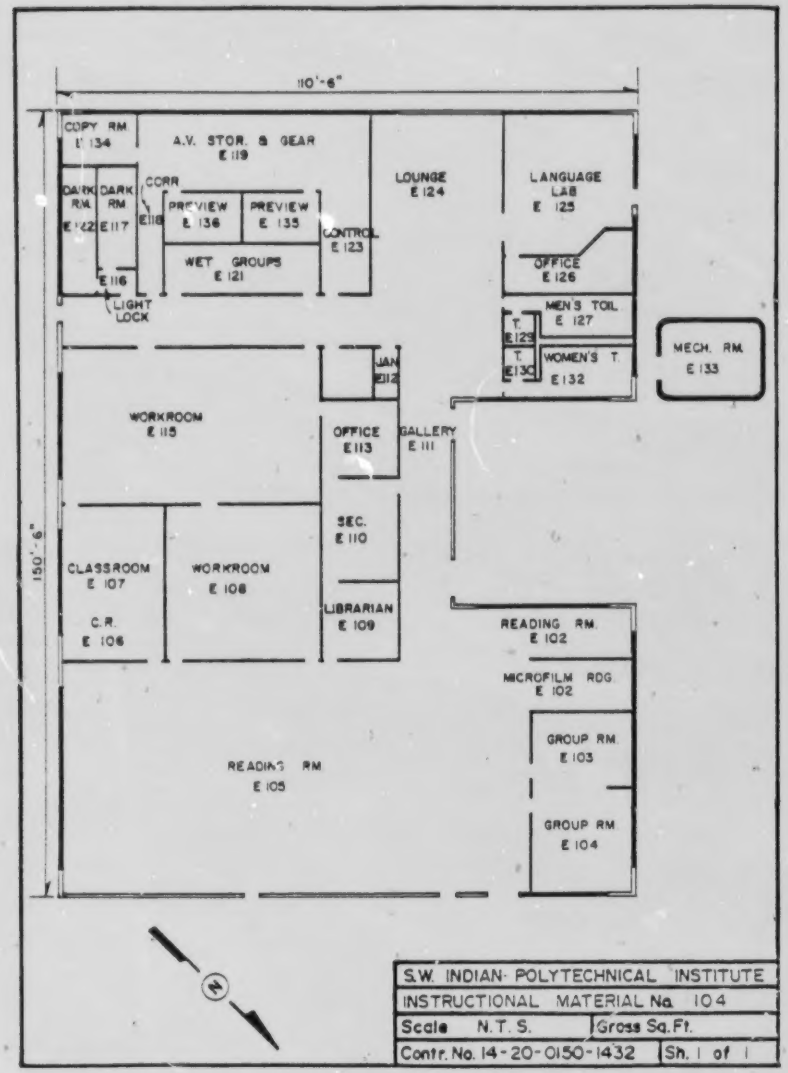

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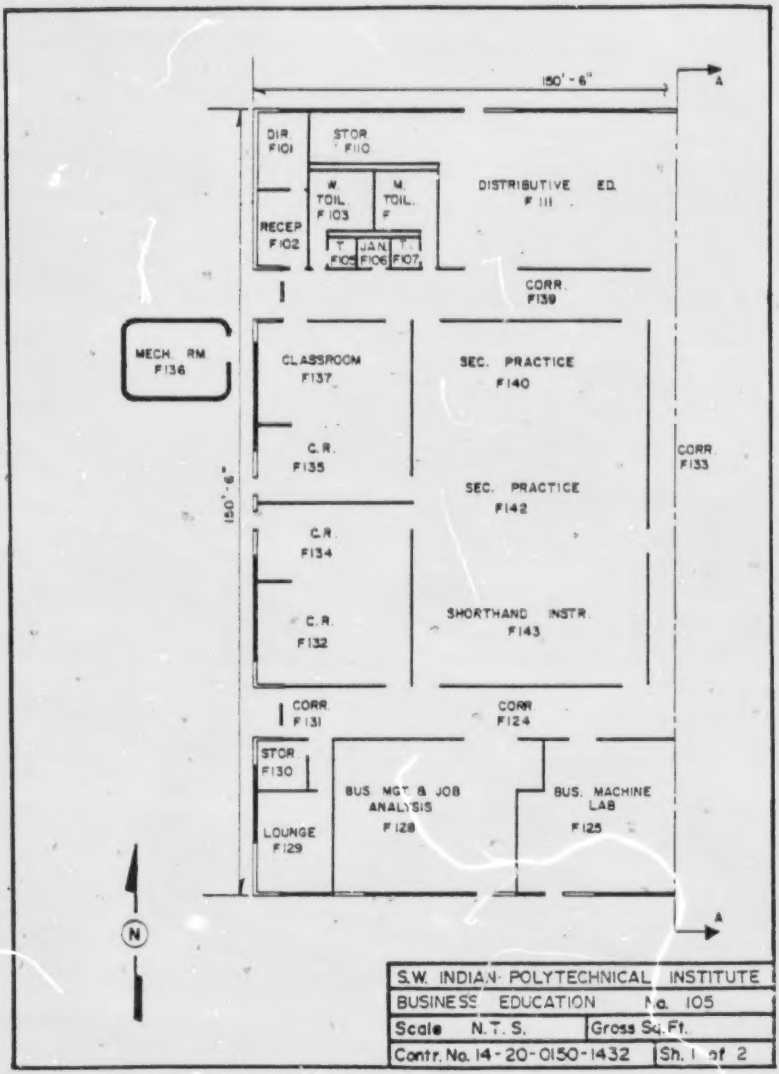

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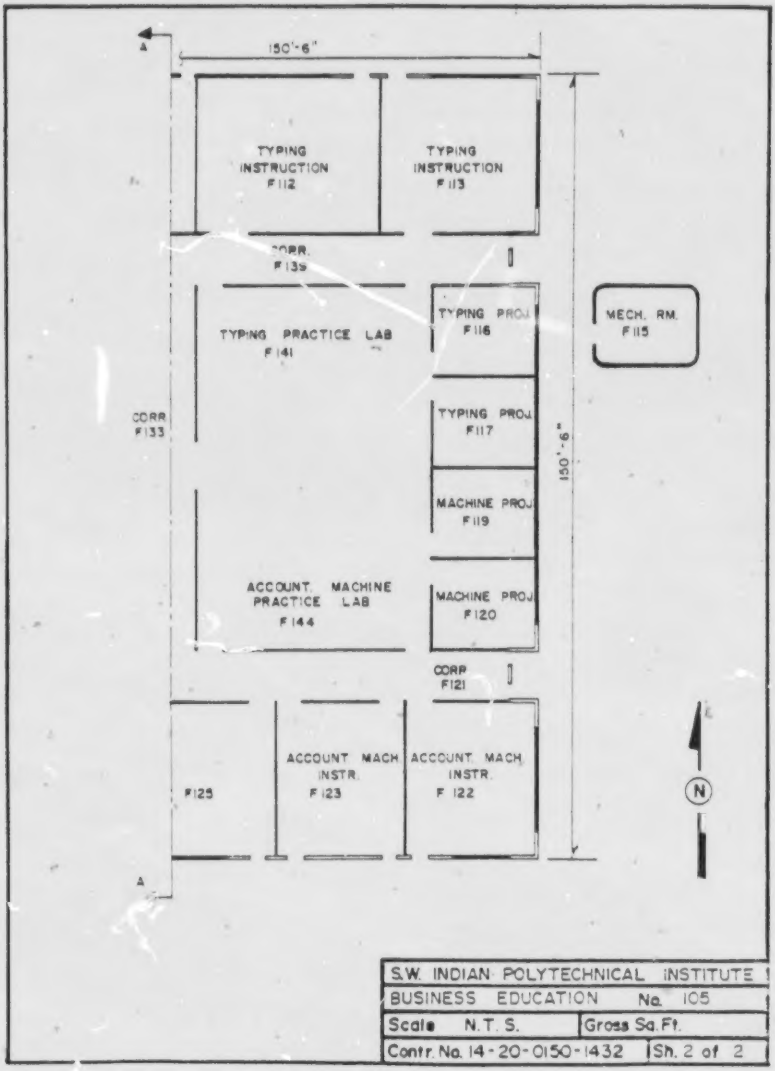

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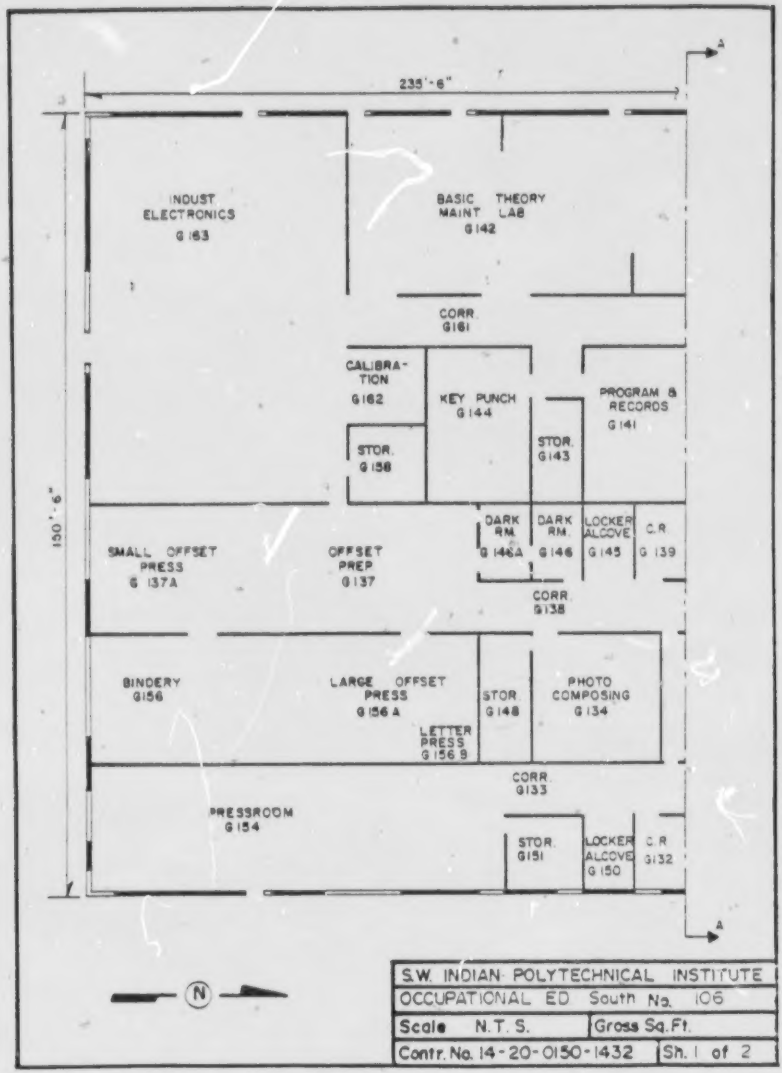

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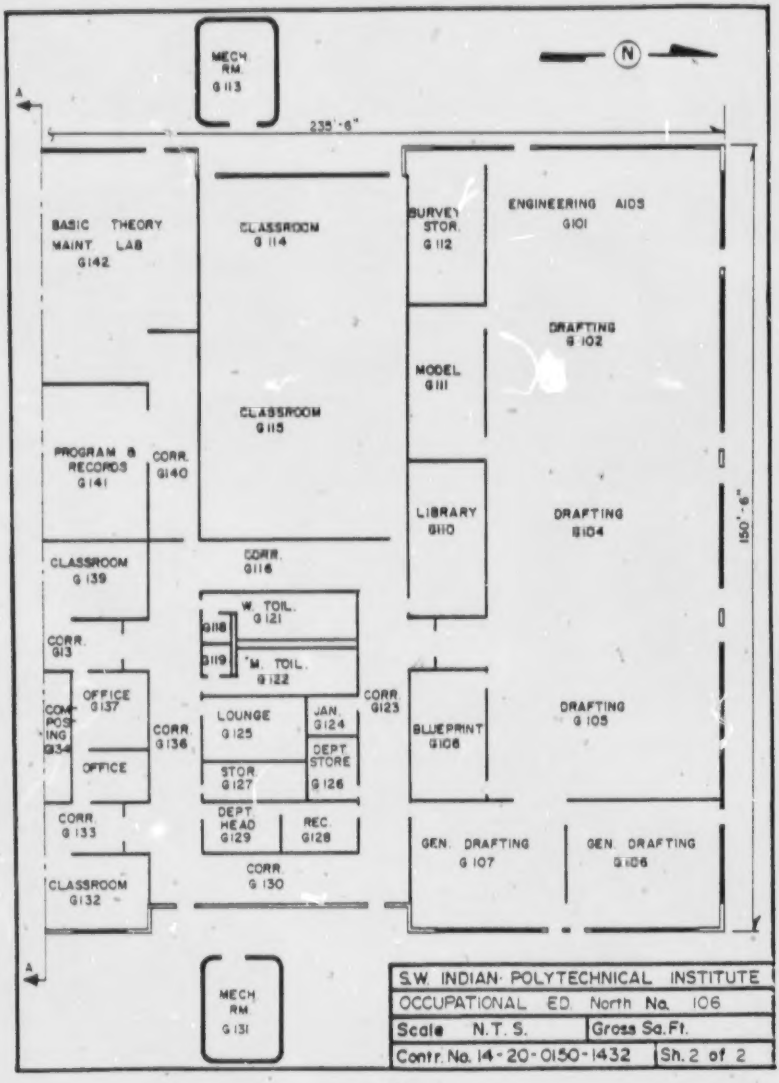

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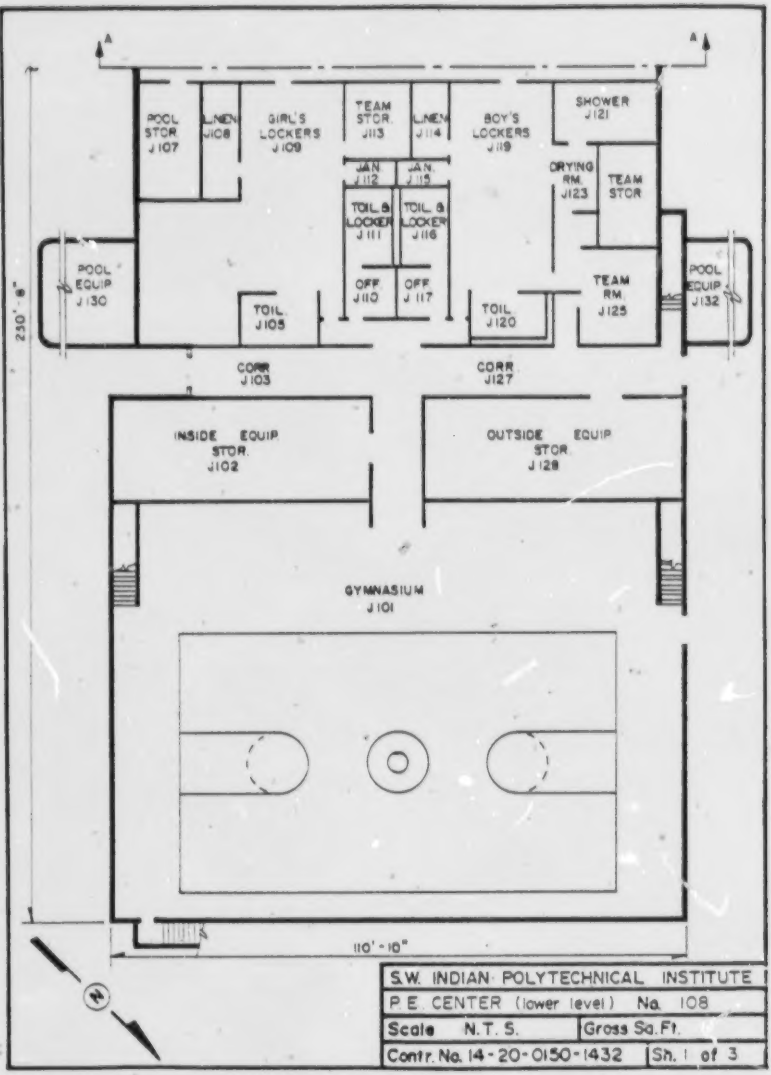

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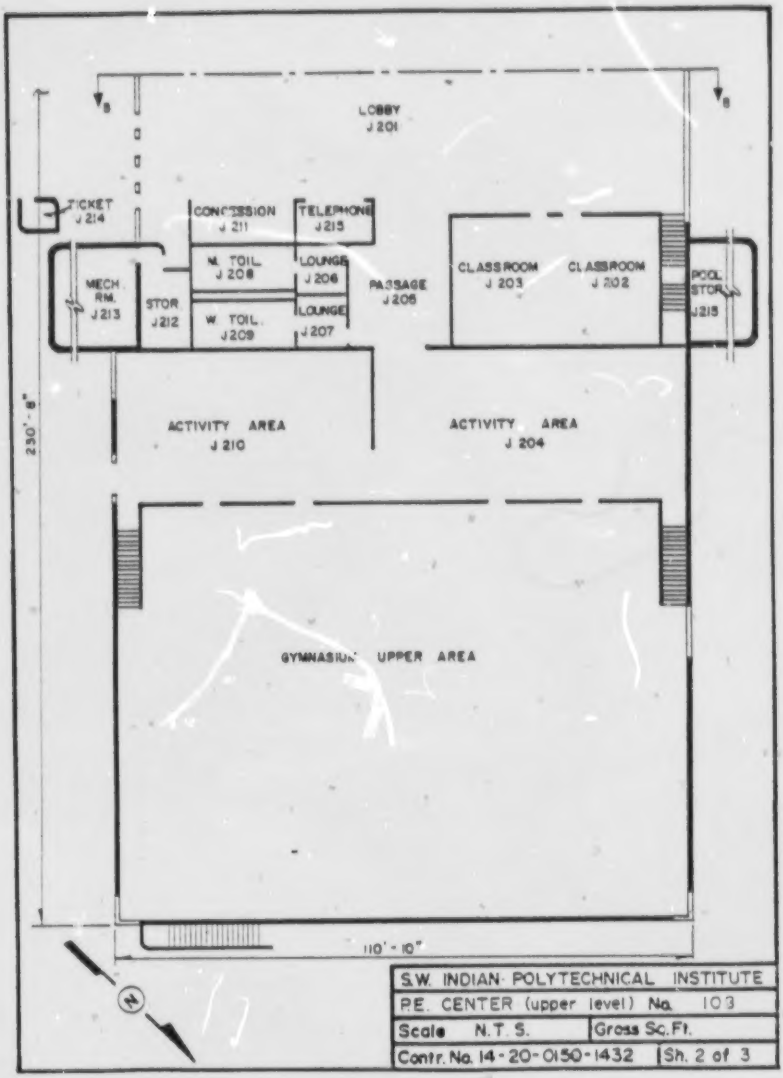

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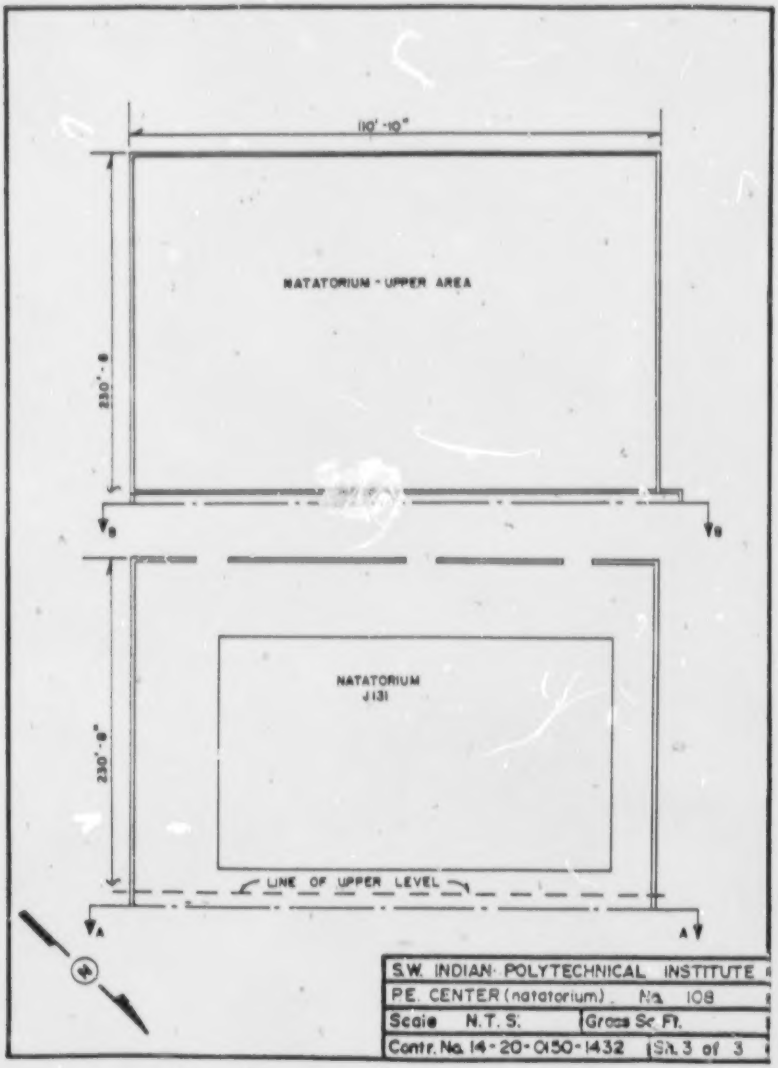

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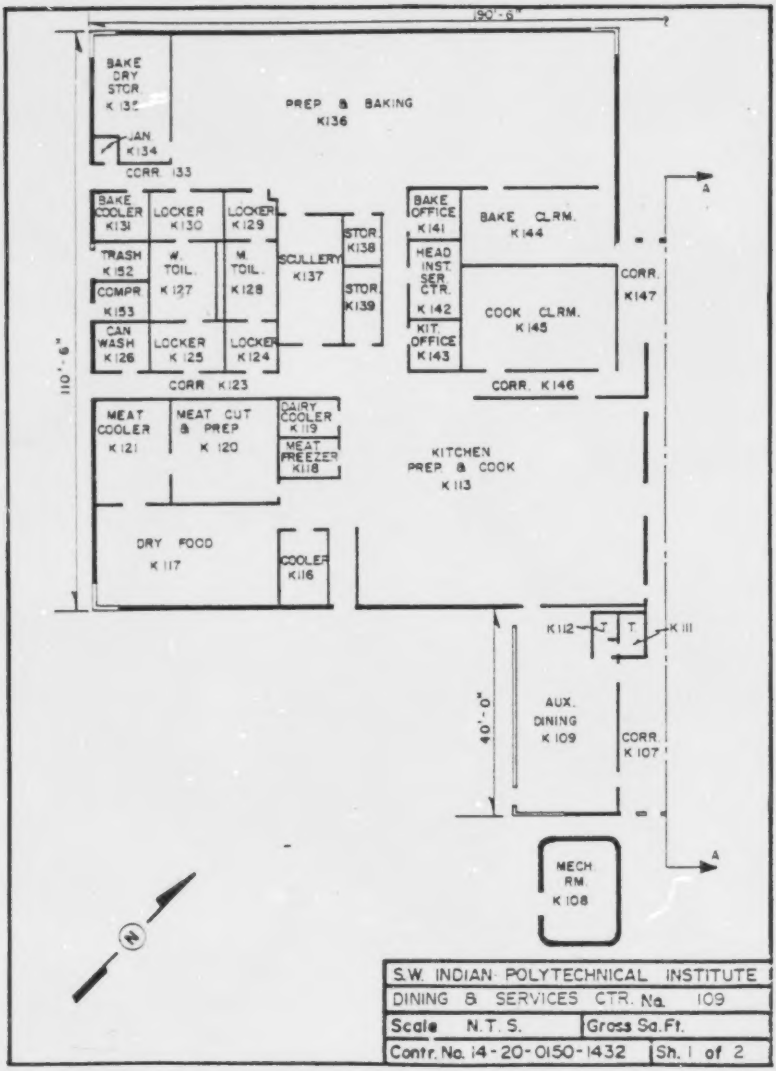

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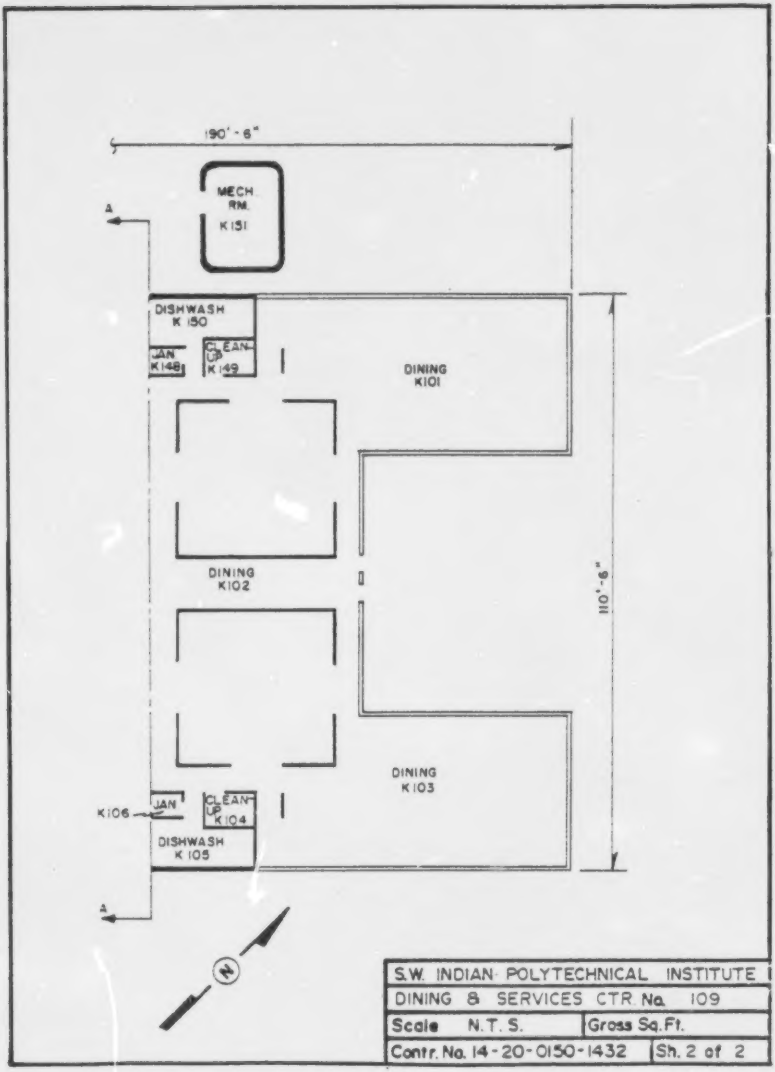

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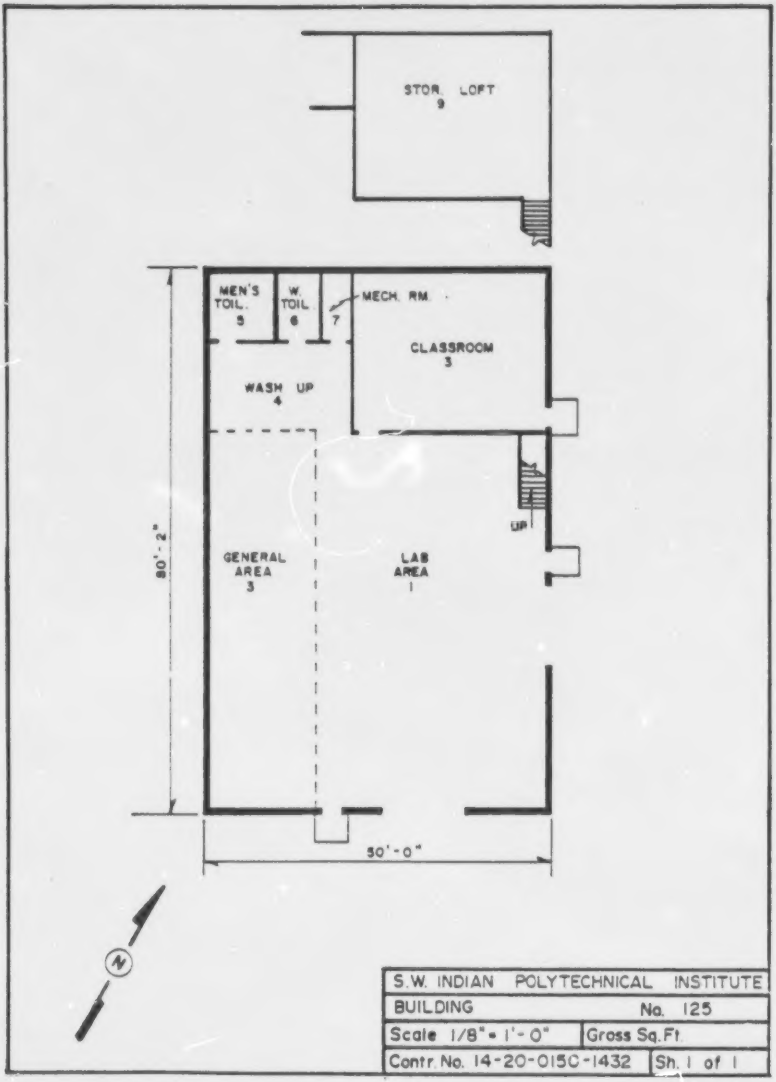

S.W. INDIAN POLYTECHNICAL INSTITUTE	
BUILDING	No. 125
Scale 1/8" = 1'-0"	Gross Sq. Ft.
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ATTACHMENT NO. 2

DORMITORY CAPACITY

SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE

Dormitory Building No. 113	-	256
Dormitory Building No. 114	-	256
Total		512

Occupancy

Dormitory Building No. 113	-	125
Dormitory Building No. 114	-	128
Total		253 *

Percentage of occupancy
to sleeping room design capacity - 50%

*1979

DORMITORIES

SLEEPING ROOM INVENTORY

Building No. 113 Total Gross Sq. Ft. 63,845

10/1/79 Occupancy 125 Boys 50 Girls 75 Total Sleeping Room Capacity 256

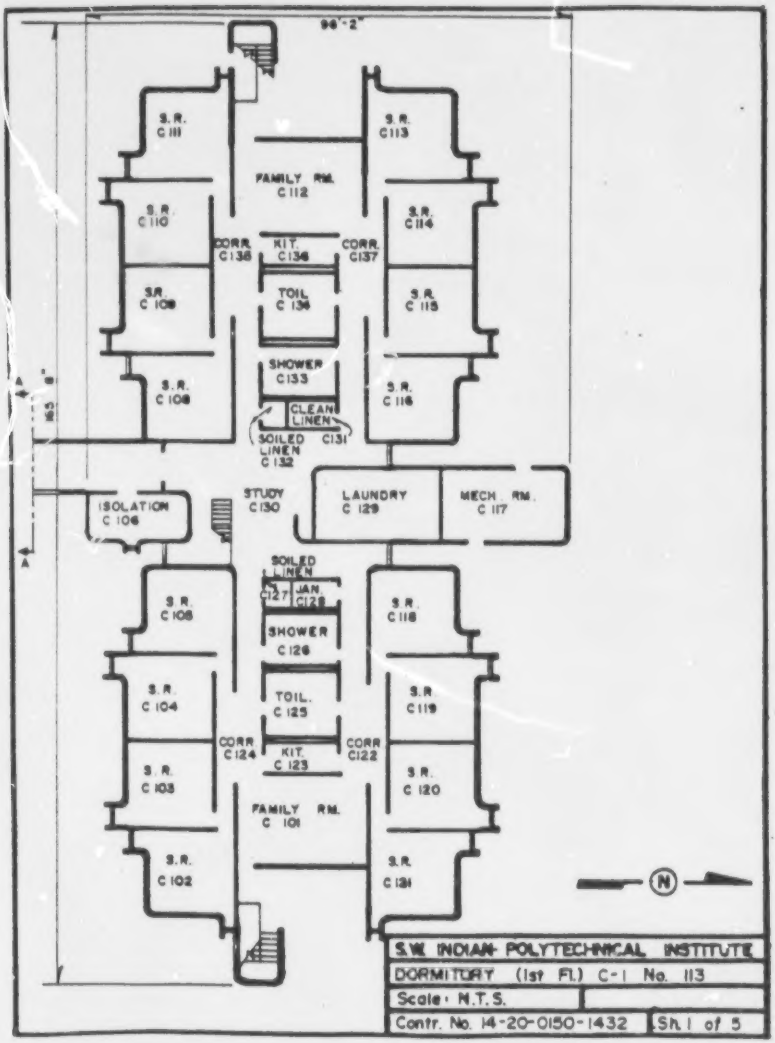
Room Code No.	Space Type Name	Sq. Ft. Each	No. of Spaces Same Sq. Ft.	Total Sq. Ft.	Student Sq.Ft.Load Factor	Cap. Each	Capacity
D11	Sleeping Room	306	64	19,584	80	4	256

Building No. 114 Total Gross Sq. Ft. 63,845

10/1/79 Occupancy 128 Boys 49 Girls 79 Total Sleeping Room Capacity 256

Room Code No.	Space Type Name	Sq. Ft. Each	No. of Spaces Same Sq. Ft.	Total Sq. Ft.	Sq.Ft. Load Factor	Cap. Each	Capacity
D11	Sleeping Room	306	64	19,584	80	4	256

Total Capacity 512



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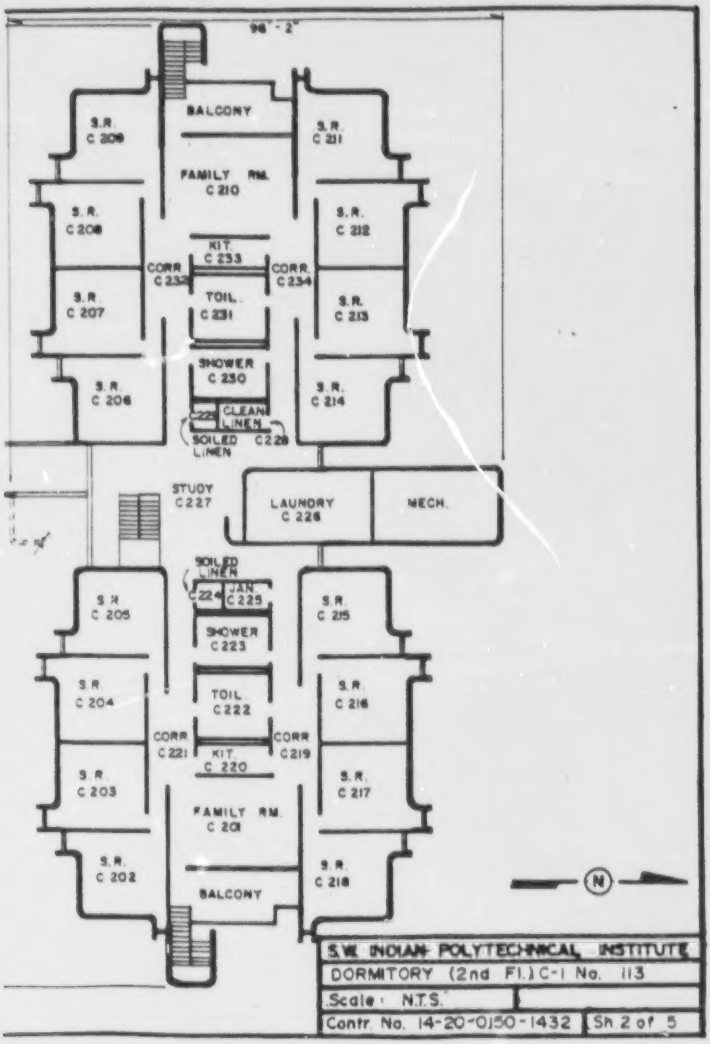

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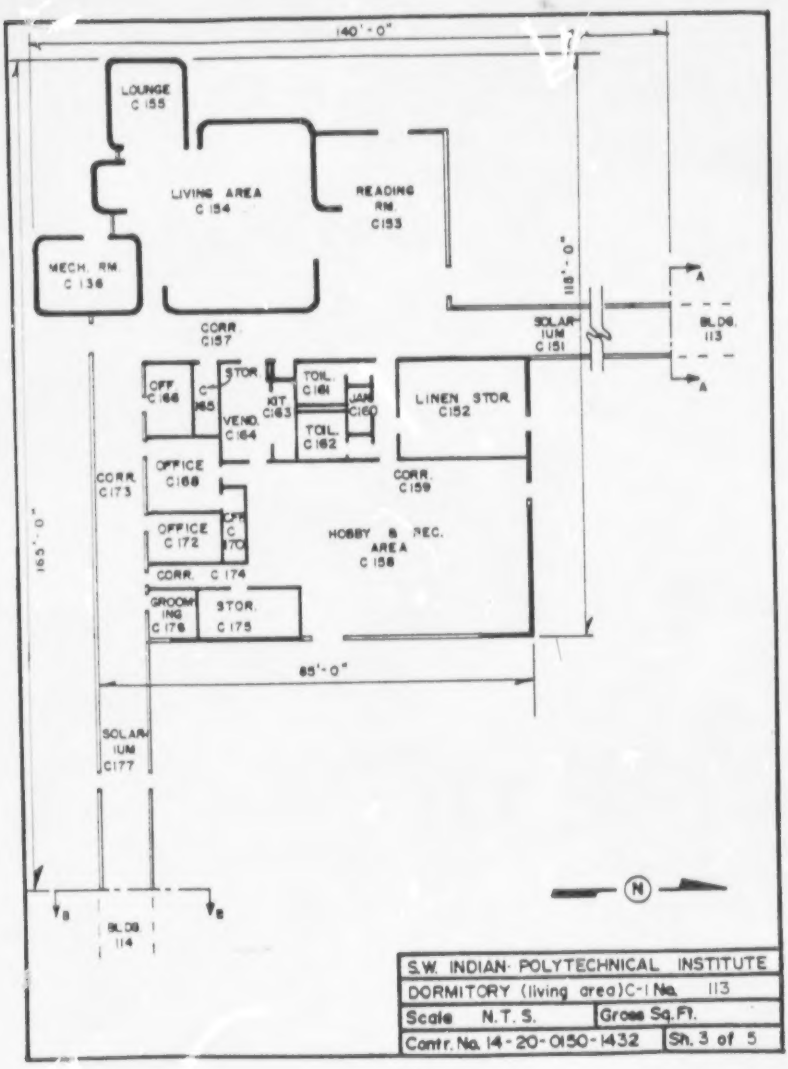

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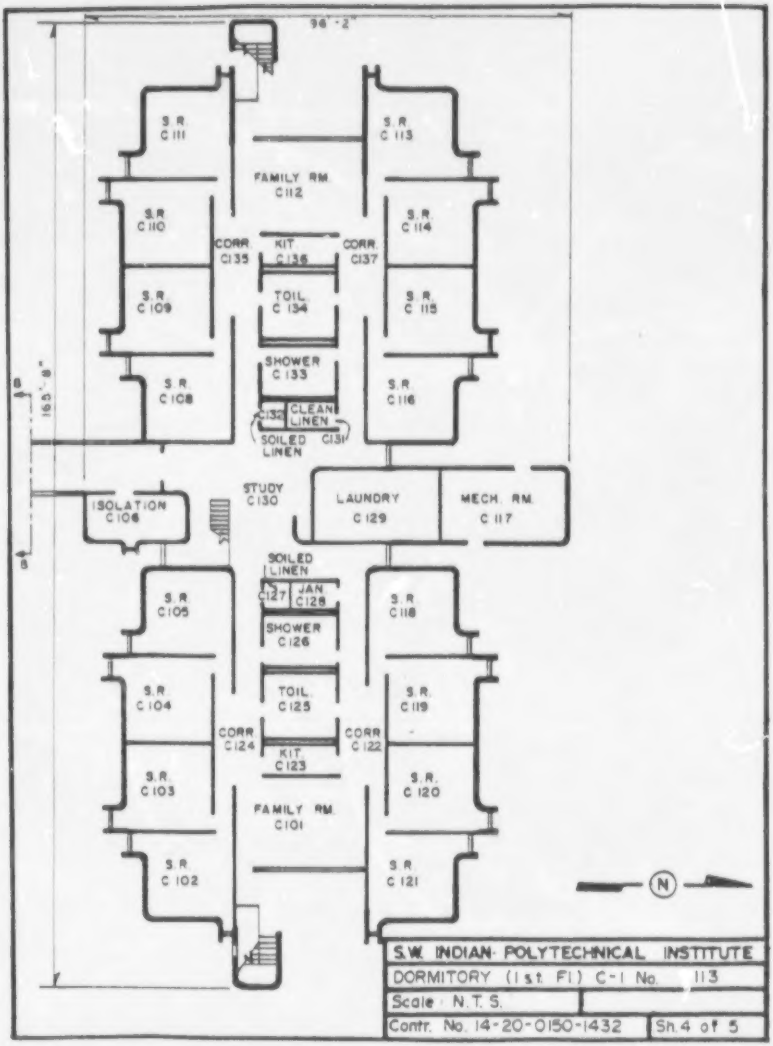

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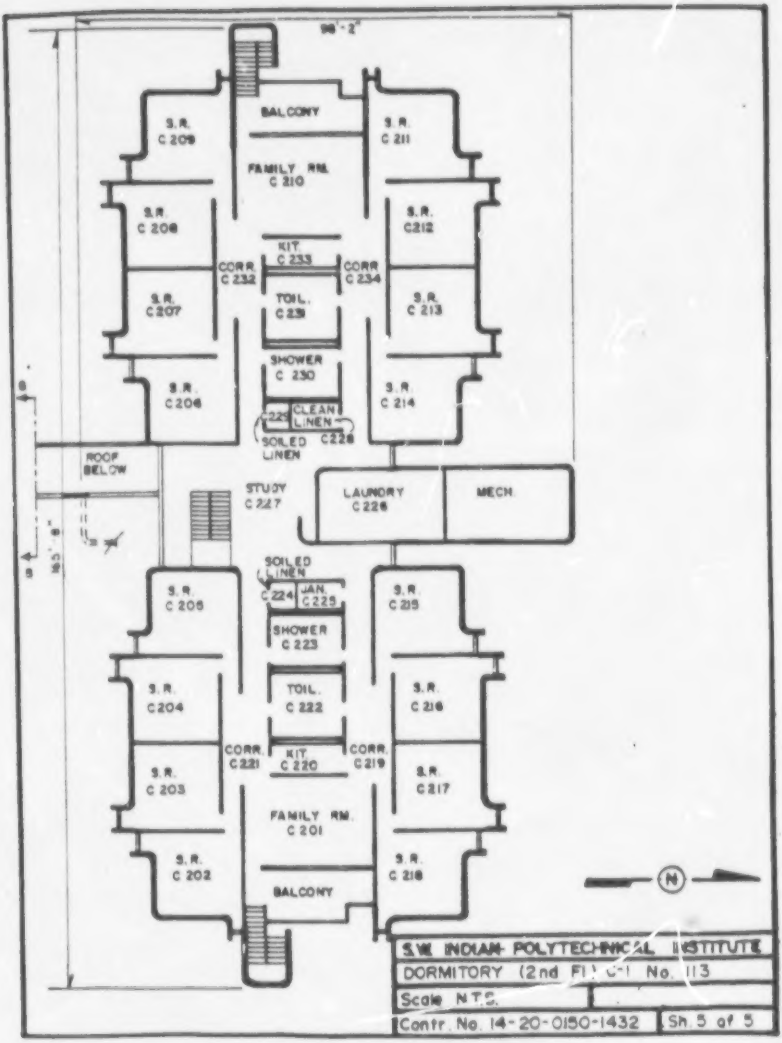

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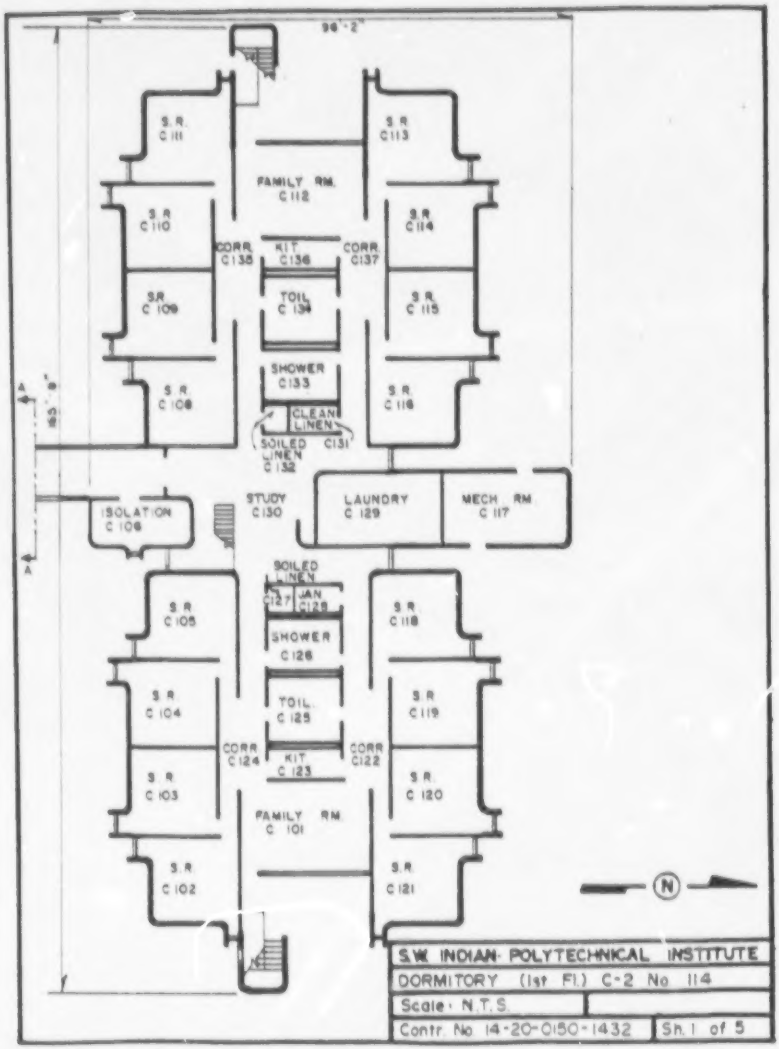

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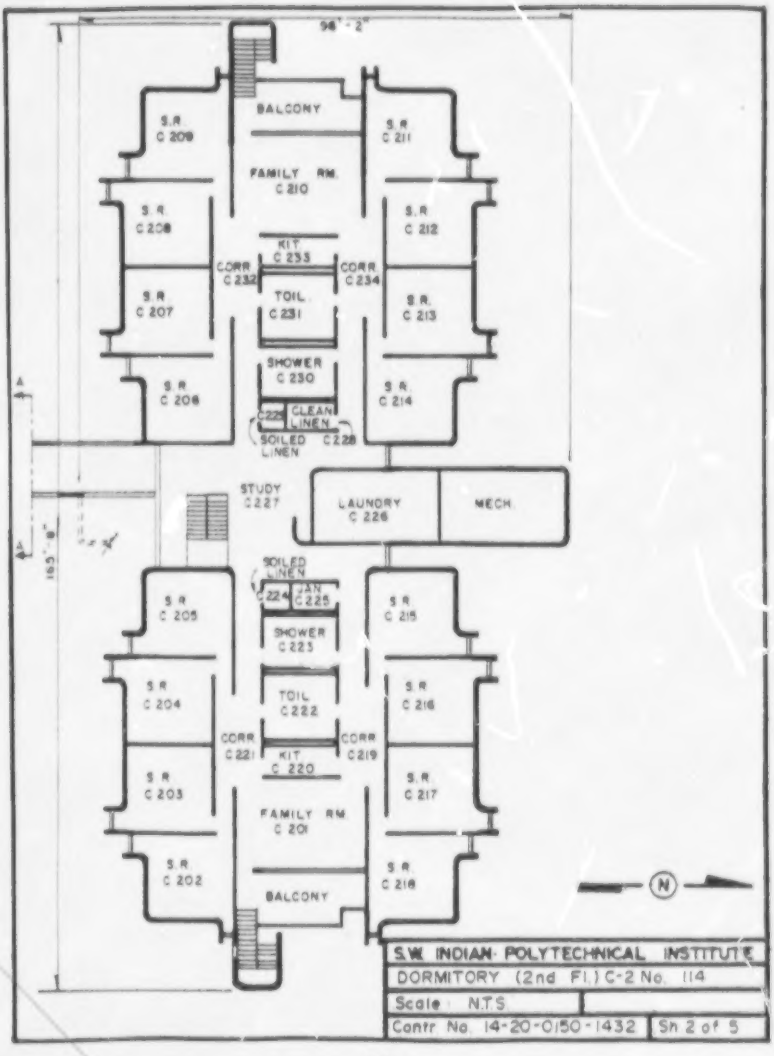

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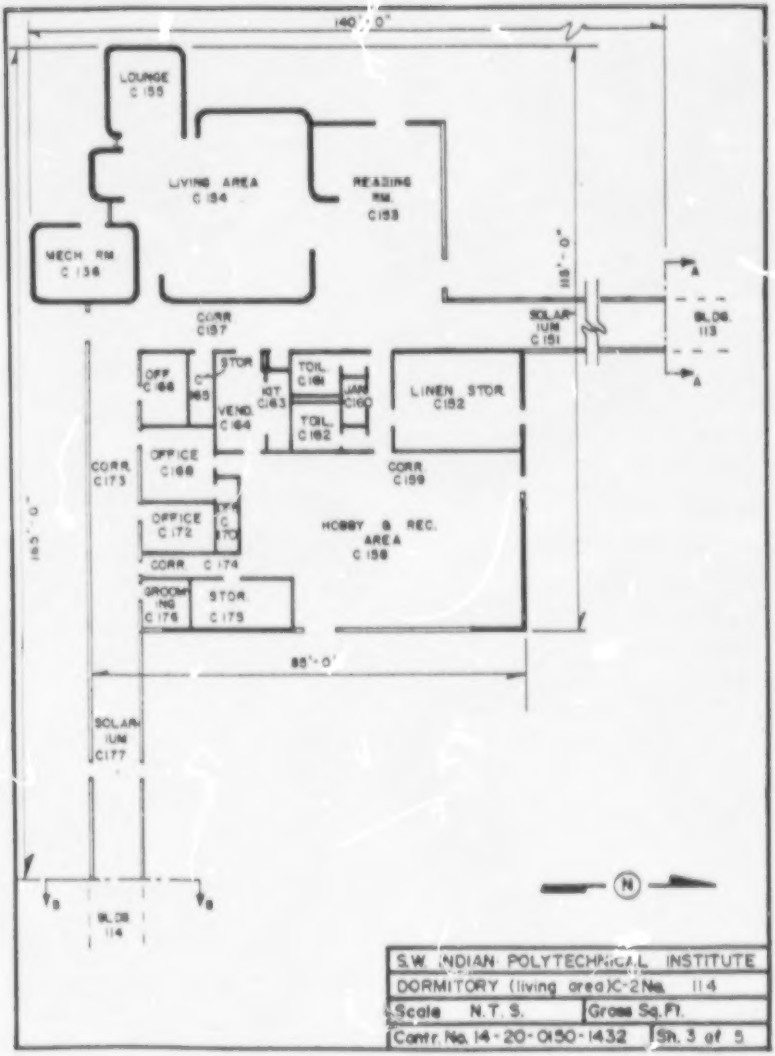

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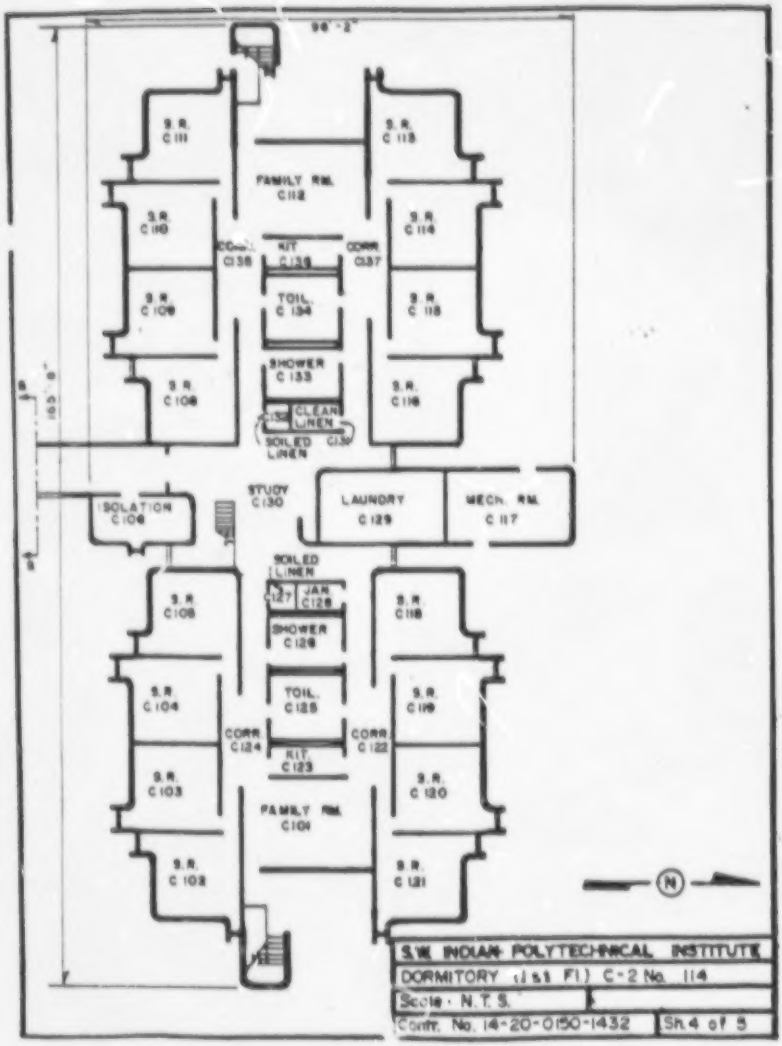

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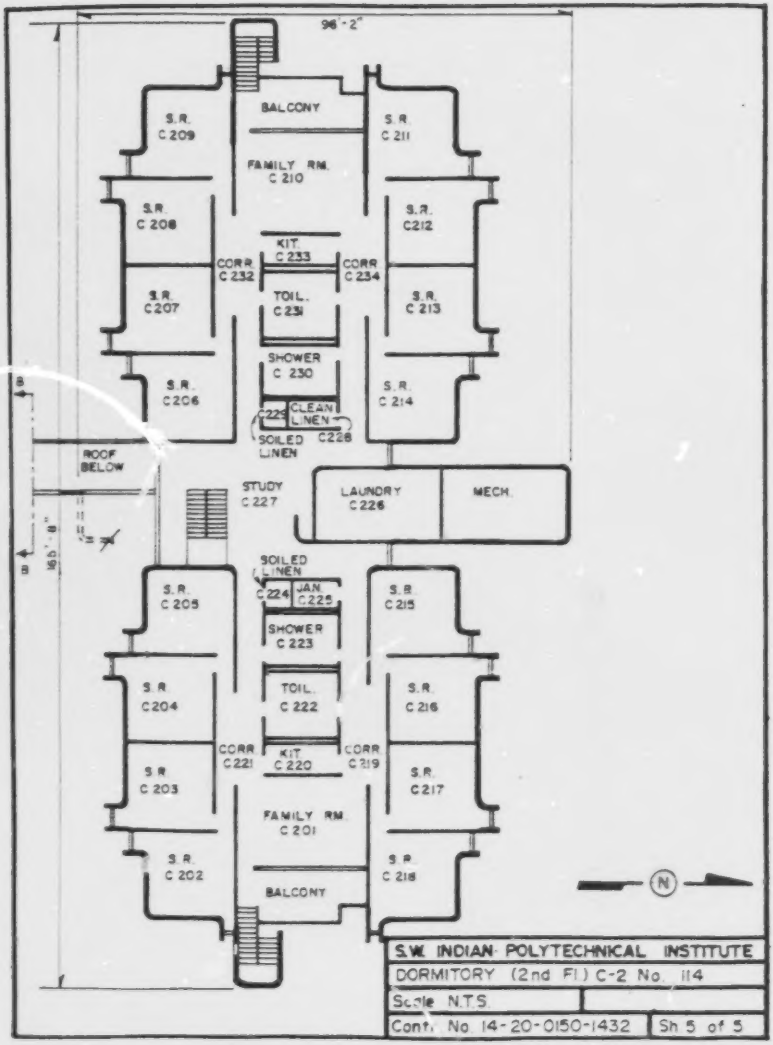

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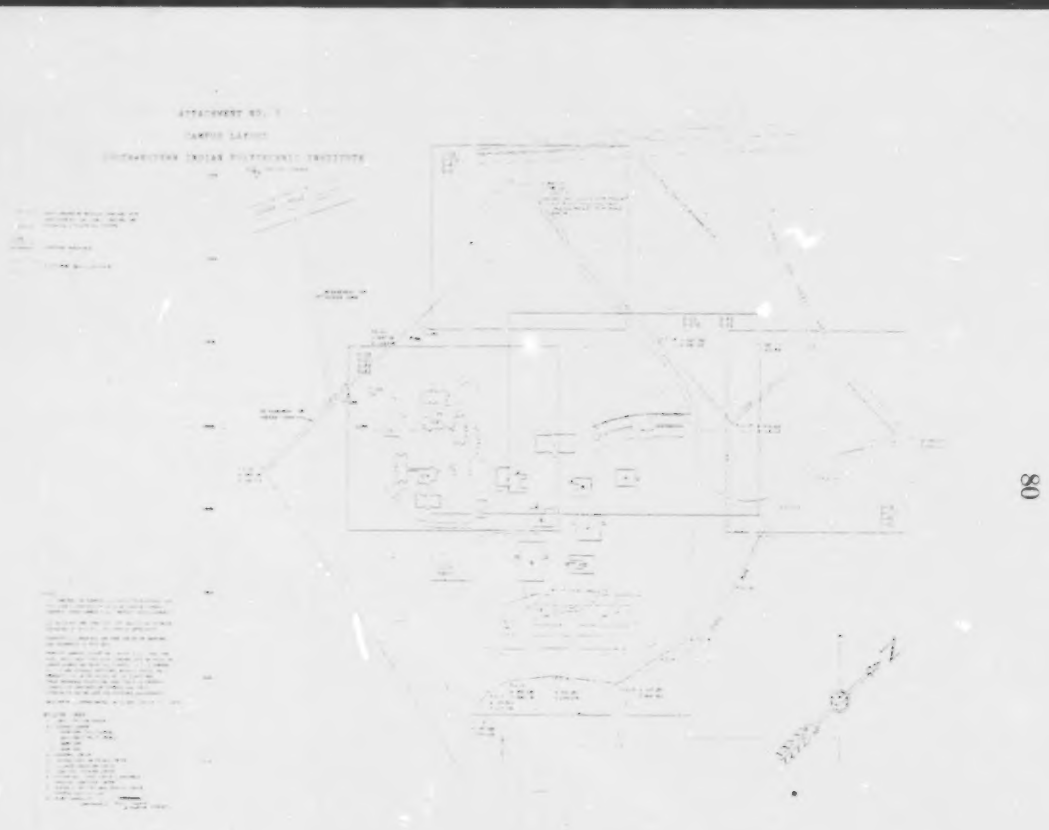

Senator MELCHER. I would also like to make a part of the hearing record, without objection, a letter and attachments dated July 28, 1980, from the Museum of American Indians in New York.

[The material follows:]

MUSEUM OF THE AMERICAN INDIAN
HEYE FOUNDATION
BROADWAY AT 155th STREET
NEW YORK, N. Y. 10032
(212) 283-2420

July 28, 1980

The Honorable John Melcher, Chairman
Select Committee on Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Senator Melcher:

Thank you for the invitation to testify on S.2166, The Native American Culture and Art Development Act. We will not be able to be present to testify, but we want to advise you of the Museum of the American Indian's (MAI) support of the fundamental objectives of the bill and give you our comments in writing.

When I, a Delaware Indian member of the MAI Board of Trustees, and Dr. Roland Force, the Museum Director, met with you on 6/16/80, we expressed the view that the thrust of the bill parallels certain of the goals of the Museum of the American Indian. The MAI has the most extensive collection of Indian artifacts (nearly 1 million), Indian publications (about 40,000 volumes), and negatives and prints (about 70,000). Attached is a fact sheet which gives further background on the Museum's collection which was built up over about 60 years by Mr. George G. Heye. In view of the above, the MAI, located presently at Broadway at 155th Street in New York City, might well be the basis for what is envisioned in Section 5 (4) of S.2166 which defines "a Museum of Indian Arts."

Since we have an outstanding Director, a Board of Trustees which includes six Indian members (see attached list of Trustees), and rapport with many Indian tribes, we believe the MAI may help meet the objectives of your bill in a very meaningful way.

Another section of the bill that we believe the MAI can be helpful on is Section 4 (j) which authorizes the Board to obtain the services of experts and consultants to carry out the provisions of the bill. Our excellent curatorial staff comprises eight anthropologists, historians, etc. which gives us the necessary expertise to consult with Indian tribes and assist them in setting up their own Museums or culture centers.

We know this bill has met with mixed reaction in the Indian community but we hope you are able to generate the necessary support from the many concerned Indian tribes as they become more aware of the need for and the objectives of a comprehensive Act such as this and leave behind the controversy of where such an institute would be located. We wanted you to know of our support and strong relationship with the objectives of this bill.

Sincerely yours,

Harold Pruner

Harold Pruner
on behalf of the Trustees of the
Museum of the American Indian

BOARD OF TRUSTEES: ROBERT MUSIL, CHAIRMAN • GEORGE H. J. SAHARAS • HOBART D. BOWEN • EDMUND B. GALLAGHER • KYNE UDALL, JR. • WILLIAM N. FENTON • JOHN C. HOWELL • ELAINE ROSE • CHARLES • THOMAS A. HEYE • W. SCOTT MCBRIDE • RICHARD A. MORGAN • WILLIAM A. WILSON • [illegible] • RONALD GOTTMAN • JAMES P. GILROY, JR. • THOMAS S. POWELL • HAROLD FRITCH • ANN M. HUDKINS • [illegible] • ROSE BOSWELL EASTLAKE • CHARLES SIMON • WILLIAM D. STUYVESANT • JULIA A. WALKER • RICHARD W. [illegible]

85

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Facts About The Museum of The American Indian

Founding Date	1916 (private non-profit trust)
Collection actually begun	1896
Location	Broadway at 155th Street New York, New York 10032
Governing body	Board of Trustees
Endowment	Just under four million dollars
Tax exempt status	501(c) (3)
Annual budget	Expenditures in 1979 were $1.3 million
Mandate	To collect, preserve, study, and exhibit all things connected with the aboriginal peoples of North, Central, and South America
Size of Collection	Perhaps the largest in world: Artifacts—nearly a million Library—more than 40,000 volumes and other works Photo Archive—70,000 negatives and prints
Quality of Collection	Unsurpassed. A priceless national treasure
Scientific and historic value	Similarly inestimable
Geographical coverage	Entire Western Hemisphere
Time coverage	Prehistoric to contemporary
Catalogue	Computerized catalogue, unique in museum world
Collection strengths	From the great civilizations of the New World (Inca, Aztec, Maya) to remote forest tribes of the Amazon and Arctic Eskimo, the Museum's holdings include tools, weapons, ornaments, clothing, utensils, containers, ceremonial objects, toys and means of transport. Highlights include: Fine carving in wood, horn, and stone— Northwest Coast of North America Kachina dance masks and dolls · American Southwest Archeology of the Caribbean California ethnology Textiles from Peru, Mexico, and the Navajo Basketry from the Pomo of California and the Pima and Papago of the American Southwest Pottery from the American Southwest and Southeast and from Peru Sophisticated goldwork from Colombia, Mexico, and Peru Jade from the Olmec and Maya Carved masks from the Eskimo Aztec mosaics Brilliant featherwork from the Amazon and Peru Painted hides and costumes from the North American Plains
Value of collection to Indians	It constitutes their patrimony and it is the foundation of their cultural identity. It validates their existence.

Member of the American Association of Museums and the Museums Council of the City of New York

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Board of Trustees

The Board of Trustees is chaired by Donald Oresman, a Managing Partner of Simpson, Thacher & Bartlett. Mr. Oresman also serves as Trustee for the New York Landmarks Conservancy and Director for Gulf & Western Industries, Inc.

George H.J. Abrams (Seneca)	Director/Curator, Seneca-Iroquois National Museum, Allegany Indian Reservation, Salamanca, New York.
Robert G. Berry	Member of the U.S. Olympic Committee and Trustee of Brown University.
Edmund S. Carpenter	Ethnologist, educator, and author of books on Eskimos. He is affiliated with the New School for Social Research, New York.
Vine Deloria, Jr. (Standing Rock Sioux)	Author, educator with a background in theology and law. He has had a leadership role in a number of Indian and other organizations. He is a professor of political science at the University of Arizona.
William N. Fenton	Anthropologist and author, he is an Emeritus Professor of the State University of New York at Albany.
John C. Hunt (Cherokee)	Associate Director of the Institute for Advanced Studies, Princeton University; author and administrator with a background in foundation work with the Salk Institute and the Aspen Institute for Humanistic Studies.
Alvin M. Josephy, Jr.	President of The National Council of the Museum of the American Indian; Director and former Senior Editor, American Heritage Publishing Co.; author of many books on American Indians.
Clara Sue Kidwell (Choktaw, Chippewa)	Associate Professor, Native American Studies Program, University of California at Berkeley; author and educator.
Thomas A. Melfe	Executive Vice President, U.S. Trust Company.
N. Scott Momaday (Kiowa)	Professor of English at Stanford University; author of the Pulitzer Prize novel *House Made of Dawn*.
Edward A. Morgan	Partner, Alexander & Green, President and Trustee of the Huntington Free Library and Reading Room.

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Curt Muser	Retired executive, who compiled *Facts and Artifacts of Ancient Middle America* and helped assemble the Metropolitan Museum's "Before Cortés" exhibition.
Waldemar A. Nielsen	Former economist, U.S Dept. of State, Ford Foundation officer, and Executive Director - White House Commission on International Educational and Cultural programs; author and Program Director, Aspen Insititute.
Siobhan Oppenheimer Nicolau	Ford Foundation Program Officer, Social Development Office, National Affairs Division.
James F. O'Rorke, Jr.	Partner, Skadden, Arps, Slate, Meagher & Flom.
Robert E. Powless (Oneida)	Chairman-Director, Department of American Indian Studies, College of St. Scholastica, Duluth, Minnesota; author and educator.
Harold Pruner (Delaware)	Petroleum/financial consultant, great-grandson of Black Beaver, former Chief of the Delaware tribe.
Ann R. Roberts	President, Rockefeller Family Fund, Inc.; Trustee, Wellesley College.
Raymond P. Shafer	Partner and Senior Counsellor, Coopers & Lybrand, Washington, D.C.; Governor of Pennsylvania, 1967-71; Chairman, Board of Trustees, Allegheny College.
Ann Sidamon-Eristoff	Attorney; Board of Managers, New York Botanical Garden.
Charles Simon	Retired Partner of Salomon Brothers; Treasurer of the Whitney Museum of American Art; Trustee of the Animal Medical Center and the New School; Member of the Investment Advisory Committee for the New York State Teachers Retirement System; member of the Committee of Religion and Art in America; Director of the 92nd Street Young Men's and Young Women's Hebrew Association.
William C. Sturtevant	Department of Anthropology, National Museum of Natural History, Smithsonian Institution; author of numerous articles.
Julia A. Walker	Trustee, Dance Theatre Foundation, Inc., Founding Friend of the Eugene O'Neill Memorial Theatre.

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Senator MELCHER. I will submit some questions to the Museum of American Indians, to Mr. Palmer, and ask him for his comments on those questions, and make those a part of the hearing record at this point when we receive them.

[A cover letter, the questions and answers, and a copy of a Customs House joint use occupancy plan follow. Testimony resumes on p. 89.]

MUSEUM OF THE AMERICAN INDIAN,
HEYE FOUNDATION,
New York, N.Y., August 14, 1980.

Hon. JOHN MELCHER,
Chairman, Select Committee on Indian Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MELCHER: Enclosed are answers to the questions you gave me at the hearing on S. 2166 on July 29, 1980. I hope they will be helpful. If I can provide additional information please let me know.

I am also enclosing a copy of a Custom House use-occupancy plan that was developed for the Museum by Hardy Holzman Pfeiffer Associates.

Sincerely yours,

ROLAND W. FORCE, *Director.*

Enclosures.

QUESTIONS AND ANSWERS

Question 1. If you were given the space to take the majority of your art and artifacts out of storage and put them on display, how large a staff would it require to maintain the collection?

Answer. At present the Museum has approximately 6 percent of its collection on public view. It has only 14,000 square feet of exhibition space. And it is not engaged in any comprehensive program of exhibition preparation for other museums. Its annual operating budget is approximately $1.5 million. Its staff consists of 34 full-time and 7 part-time employees. Of these, 15 are directly involved in curatorial and exhibit preparation duties. Any expansion of the exhibition program would require additional personnel in these areas. The degree of expansion would depend upon the scope of the program.

An additional staff complement sufficient to conduct a modestly expanded program of both intra-mural and extra-mural exhibition should number no less than 13 (7 curatorial and 6 exhibit technicians).

Question 2. Do you think native American people would benefit from the location of your collection in New York or Washington, D.C.?

Answer. There is no question but that Native Americans would benefit from the increased public exhibition of the Museum's collection in either New York or Washington. The placement of a distinguished collection in a distinguished building can only create pride in one's heritage. It is generally acknowledged that the identity so many members of minority groups are seeking may be found only in their patrimony. Indians have no such bulwark today. And, as America's most disadvantaged ethnic enclave, their need is among the greatest in our society.

It should be noted that one-fourth of all Native Americans in the United States now live in the Northeast.

Question 3. If this legislation did incorporate the Museum of the American Indian, what would you estimate would be the additional cost to the Federal Government?

Answer. Cost estimates relate directly to project scope. Anticipated expense relative to the relocation of the Museum to a new site and the provision of services to a national constituency may be summarized as follows:

a. Packing and Moving

A survey completed in late 1979, indicates that the expense of packing and moving the Museum's artifact, photographic, and library collections to the U.S. Custom House in 1980, would cost $400,000 to $450,000. There would be added expense if shipment were to another city.

b. Installation of Collections and Exhibits

The installation of Museum collections in non-public areas of approximately 50,000 square feet and in public exhibit areas of comparable size in the U.S. Custom House would cost between three and four million dollars.

c. Public Service Program

A program designed to serve the needs of the 100 or so tribal museums and cultural centers throughout the United States could be tailored to a number of budget levels, depending on the number of institutions served and the level of service. For example, if 25 were served at an average cost of $1,000 per exhibit, the annual cost would be $25,000. A more likely mode of service would be the preparation of theme exhibits that could travel to several museums consecutively. At present, for example, the Museum is preparing a major exhibition featuring 200 Eskimo carvings. The preparation costs (exclusive of packing, shipping, insurance, and separate installations) will approximate $60,000. A significant outreach program should be funded initially at somewhere near $500,000 per year if any impact is to be felt and the resource is to be exploited.

In summary, a conservative estimate of the annual cost of operating the Museum of the American Indian in the U.S. Custom House with a modest program of public service would be:

a. Operating expense:	
Rental and utilities payable to GSA	[1] $1,000,000
Present nonsalary expense	600,000
b. Personnel:	
41 present positions	900,000
13 new positions	300,000
c. Public service: Native American institutions	500,000
Total	3,300,000

[1] Estimated cost of occupancy of 104,000 square feet of the U.S. Custom House by Adm. Rowland Freeman, Administrator, GSA.

One-time relocation and installation costs are estimated to be between $3,400,000 and $4,450,000. The Museum has a Challenge Grant in the amount of $750,000 (a three-to-one match) from the National Endowment for the Humanities that is designed for this purpose. Several major private foundations have indicated their desire to participate when a determination is made in respect to the Custom House.

Question 4. At the committee's Santa Fe hearing last April, a suggestion was made by one of the pueblo governors that sacred artifacts from other museums should be transferred to and housed in the museum which would be part of the institute. What is your view of this suggestion?

Answer. Governor Lewis' suggestion is a good one. The welfare of the collections in the Museum's care is of cardinal importance. Not only does the Museum possess the professional capability for the care of sacred materials, it also has the appropriate philosophy in respect to them. The collection already embodies great numbers of sacred items—masks, images, medicine bundles, etc. They are stored, handled, and preserved with the highest conservation standards. The exhibition of sacred materials is sometimes deplored by tribal leaders, a position respected by the Museum. It should be noted that the present museum that is a part of the Institute is devoted exclusively to contemporary art. It has no archaeological or ethnographic holdings. It does not have the facilities or staff to follow this suggestion.

A Preliminary Study of the U.S. Custom House for Joint Occupancy by the General Services Administration and the Museum of the American Indian

I. INTRODUCTION

The unusual architectural quality of the United States Custom House makes it very important that future programming of the building include consideration for public use. This study outlines the programmatic implications for joint occupancy by the General Services Administration and the Museum of the American Indian.

The Custom House was built in 1907 and designed by the noted architect, Cass Gilbert. This magnificent Beaux-Arts style structure located at the foot of Broadway in Lower Manhattan has recently been recognized for its potential reuse as a major public space. The efforts of the New York Landmarks Con-

servancy, Inc. and the Custom House Institute have resulted in Congressional allocation of Federal funds for revitalizing the building.

The special character of the Custom House lends itself to a unique combination of new uses. In addition to General Services Administration requirements for office space, a cultural institution such as the Museum of the American Indian could occupy the great central spaces of the building and make them available for public use once more.

The Museum of the American Indian includes the most extensive collection of Indian artifacts in the world. Due to limited exhibition and storage space in several remote locations, much of the collection is inaccessible to the public and to scholars. The present separation of the Museum's exhibition space in Upper Manhattan and the storage annex and library in the Bronx poses difficult problems for the administration and curatorial staff. Consolidation of the Museum's resources would not only alleviate the functional difficulties, but also would permit the proper exhibition and storage of the collection.

The Custom House offers the Museum of the American Indian a location which has proven successful on two previous occasions. Temporary exhibitions mounted in the Fall of 1978, and 1979, drew more than 130,000 visitors. With this location and a continuing strong public interest, the Museum's value as a national institution will be greatly increased.

Joint occupancy of the Custom House would insure an appropriate use of the building's distinguished interior spaces. The lower floors with very high ceilings are ideal for exhibition and collection storage, but would require major alterations to be useful as offices. Including the Museum in the Custom House will minimize alterations to the interior and, at the same time, enhance public appreciation of the architecture.

II. SUMMARY OF EXISTING FACILITIES

A. The Museum of the American Indian

The Museum presently occupies 78,200 square feet in three different buildings:

1. 155th and Broadway (exhibition and administration), 38,000 square feet.
2. Bronx Annex (collection, processing and storage), 24,000 square feet.
3. Bronx Library (storage and stacks), 16,200 square feet.

B. General Services Administration

The General Services Administration prospectus, dated June 8, 1979, proposed alternatives for the U.S. Custom House. It recommended that the building be used to provide office space for a number of different Federal Agencies, including the U.S. Courts; the Department of the Treasury; and the Department of Health, Education, and Welfare. These agencies presently occupy a total of 164,519 square feet in Lower Manhattan. Of this, 76,825 square feet is located in the World Trade Center.

III. SUMMARY OF SCHEME A

Museum

1. Forty-seven percent of net building area occupied—basement through third floors.
2. Limited growth based on HHPA evaluation of the Museum's three existing facilities.
3. Exhibition space on first and second floors.
4. Rotunda to be used for special exhibitions.
5. Major museum entry on second floor (monumental stairs).
6. Public elevators in both northeast and southeast elevator bank.
7. Collection storage on third floor and basement levels.
8. New major stairs (not spiral) enclosed to provide fire exits from all floors.

GSA

1. Fifty-three percent of net building area occupied—fourth through seventh floor. Entry lobby and subbasement storage.
2. GSA lobby on first floor with direct access from street.
3. Separate elevators for GSA in both northeast and northwest elevator banks.
4. GSA service elevator in southwest bank.
5. GSA storage in subbasement.

[In square feet]

	Museum	GSA
Net usable floor area: [1]		
Subbasement		[2] 30,000
Basement	24,700	
1st floor	24,150	5,650
2d floor	31,000	
3d floor	24,600	
4th floor		21,000
5th floor		21,000
6th floor		21,000
7th floor		18,100
Total	104,450	116,750
Total net usable area of building	221,200	
Percent of total	47	53

[1] Areas exclude all major circulation, walls, toilets, and elevators.
[2] Approximately 50 percent of subbasement available for GSA storage.

Area available for museum program requirements

1. Collection processing and storage	[1] 44,260
2. Exhibition	43,630
3. Public services	5,920
4. Library	5,600
5. Administration	104,450
Total	104,450

[1] Including shipping and receiving, curatorial offices, conservation registration, and exhibition preparation.

IV. SUMMARY OF SCHEME B

Museum

1. 38 percent of net building area occupied—basement through second floor and north end of third floor.
2. Minimum area requirements based on HHPA evaluation of the museum's three existing facilities.
3. Exhibition space on second floor only.
4. Rotunda to be used for special exhibitions.
5. Major Museum entry on second floor (monumental stairs).
6. Public elevators in both Northeast and Northwest elevator banks.
7. Museum service elevator in Southeast elevator bank.
8. New major stairs (not spiral) enclosed to provide fire exist from all floors.
9. Administration occupying northern portion of third floor.

GSA

1. 62 percent of net building area occupied—third floor through seventh floor, lobby, and subbasement.
2. GSA lobby on first floor with direct access from street.
3. Separate elevators for GSA in both Northeast and Northwest elevator banks.
4. GSA service elevaor in Southwest elevator bank.
5. GSA storage in subbasement.

[In square feet]

	Museum	GSA
Net usable floor area: [1]		
Subbasement		[2] 30,000
Basement	24,700	
1st floor	24,150	5,650
2d floor	31,000	
3d floor	5,040	19,560
4th floor		21,000
5th floor		21,000
6th floor		21,000
7th floor		18,100
Total	84,890	136,310
Total net usable area of building	221,200	
Percent of total	38	62

[1] Areas exclude all major circulation, walls, toilets, and elevators.
[2] Approximately 50 percent of subbasement available for GSA storage.

Area available for minimum museum program requirements

1. Collection processing and storage	[1] 43, 250
2. Exhibition	25, 080
3. Public services	5, 600
4. Library	5, 600
5. Administration	5, 040
Total	84, 890

[1] Including shipping and receiving, curatorial offices, conservation registration, and exhibition preparation.

V. SUMMARY

The U.S. Custom House offers a unique opportunity for shared occupancy. In both schemes GSA could consolidate several major Federal Agencies in the upper floors of the Custom House. Separate entrances and elevators ensure simple and efficient public access and servicing.

Clearly, the Museum program requirements are well-fitted to the lower floors. Consolidation of its facilities in the Custom House will greatly increase public access to the collection. Coupled with the central location and the need for such a facility in Lower Manhattan, joint occupancy of the U.S. Custom House by the General Services Administration and the Museum of the American Indian would be of major interest to the public.

Senator MELCHER. I have letters here and written testimony from Vine Deloria, Joseph Duffey, John Folk-Williams, Lloyd Kiva New, and Frederick Dockstader. Without objection, they will be made a part of the record at this point.

[The mateiral follows. Testimoney resumes on p. 97.]

PREPARED STATEMENT OF VINE DELORIA, JR., UNIVERSITY OF ARIZONA, TUCSON, ARIZ.

The proposed legislation, S. 2166, to promote the development of native American culture and art, is a welcome recognition of the important place that native American art and culture have played and can continue to play in the continuing development of a North American culture. Although Indian names appear with considerable frequency in the rivers, mountains, and even city streets of our land, it has been only recently that Indian art has been recognized as a unique form of human creative expression. Appreciation of the wide variety of Indian artists forms has in turn produced a greater sense of understanding for the intangible dimensions of Indian culture which still inform nearly a million American citizens of eternal values and beliefs. Although the time is late, it is not too late to establish within a new format the institutions and procedures whereby the full panoply of native American experiences can be made available to a larger audience.

S. 2166 would establish an Institute of Native American Culture and Arts Development which shall include a Center for Culture and Arts Studies, a Center for Native American Scholars, a Center for Cultural Exchange, a Museum of Indian Arts, and any other centers or program which would fulfill the purpose of this authorizing legislation. Although the format suggested in this legislation is contemporary, the idea of a special institution dealing exclusively with Indian history, culture and art. In his 1822 Report to the Secretary of War, the Rev. Jedidiah Morse submitted a Constitution for a proposed "American Society for Promoting the Civilization and General Improvement of the Indian Tribes within the United States." Three former Presidents of the United States, John Adams, Thomas Jefferson, and James Madison were to be the official patrons of the society and the incumbent Vice President of the United States was to be its titular president. Among the purposes for which this society was to be established was "to examine into the origin, history, memorials, antiquities, traditions, governments, customs, manners, laws, languages, and religions." Although the society was never a fully functioning institution, it nevertheless indicated the great sense of responsibility which the leading figures in American life felt toward understanding and appreciating the culture and traditions of the native American.

The nations of this hemisphere, led by the American delegation which had as its chief spokesman Indian Commissioner John Collier, also made Native art and culture an important subject for consideration. At the First Inter-American Indian Conference in Patzcuaro in April 1940 the western hemisphere nations passed a resolution creating an Inter-American Indian Institute and they recommended to themselves an international convention which would finalize the creation of this Institute. In December 1940 it was formally established. Under the provisions of Article I of this convention each state promised to establish National Indian Institutes and to participate in the quadrennial Inter-American Indian Conference which has continued until the present day. The United States, although it has been an enthusiastic participant at these four year conferences, has never established its National Indian Institute and this legislation, if passed into law, would be a significant step in this direction.

In reviewing the sections of this legislation, it seems obvious that while a great deal of attention has been paid to the governing board, its functions, and constituency, less thought has been devoted to the task which the Institute is designed to fulfill. Rather than analyzing the membership of the Board, the terms of office and so forth, provisions which if changed would not materially alter the assigned mission of the Institute, I would like to provide the committee with some additional considerations which I believe must be understood if the Institute, when authorized and functioning, is to become successful. The question is not one of intent but of collecting the necessary resources to enable the Institute to function effectively.

The Center for Culture and Art Studies we can assume will take the existing Institute for American Indian Art which is now located in Santa Fe, New Mexico and greatly expand its capabilities and programs. This goal is a worthy one and necessary even if other parts of the proposed activities are not made a part of the final assignment of the Institute. In order for this expansion to become a reality the federal government will have to fund a considerable number of fellowships, scholarships and study-grants for Indian young people wishing to become a part of the Center's programs. An ideal program would include not only expansion of the existing student body but the goal of linking talented members of that Center into other parts of the larger international art world. Fellowships something akin to the Fulbright program should be considered which would promote the introduction of Indian artists to the larger art community and which would enable non-Indians wishing to study Indian art and its various manifestations to come to the Center for preliminary and advanced work with its auspices. Such a program would require significant investments by the federal government and might produce a minimum amount of results for nearly a decade until a sufficient cross-fertilization had been established between Indian artists and artists of the larger community. The committee should be prepared to amend this proposed legislation so that such an outreach program would be initiated with the development of the Center so that whatever immediate impact the founding of this Center would have would maximize its profile in the world of art.

The Center for Native American Scholars is a significant step in recognizing the great humanistic tradition inherent in many of the tribal backgrounds. Since its incursion into higher education for American Indians beginning in the middle sixties, however, the federal government has supported such fields as business administration, education, law, medicine, natural resources, and engineering. These are the preferred fields eligible for study at the graduate level in the 1972 Indian Education Act as amended. Additionally, the Bureau of Indian Affairs, the Department of Labor, and private foundations such as Kellogg and Atlantic Richfield have supported management and administration options. The plain and simple fact is that the humanities-liberal arts-social science areas have been completely excluded as fields of study. Thus while there is a great need for Indian scholars who could staff this proposed Center and perform its functions, there is no ready reservoir of Indian scholars who could provide staff, conduct research, or write publications. Nor is there likely to be such a reservoir any time within the next decade.

If the committee is even moderately serious about this Center it should request immediate amendment to the Indian Education Act of 1972 as amended and open the graduate fellowship program to all students on the basis of talent and present achievement instead of restricting the fields of study to a few fields and allowing the present program to continue under inept management. At pres-

ent the Title IV Fellowship program is now administered with arbitrary decisions more frequent than professional expertise. I have previously brought this matter to the attention of two Congressional committees and to the new Secretary of Education and have received in response only letters of perfunctory content thanking me for my comments. In a federal government dependent for its operations on some measure of concern and expertise the present administration of Indian educational matters is the most abysmal in American history. I trust that the response of this committee will be something more akin to that expected of adult political leadership than previous responses I have received.

The Center for Cultural Exchange seeks to perform functions which are basically conflicting. Development of the inter-American program should feature activities which would help increase awareness by both Indian and non-Indian of the broad scope of Native heritage and it should improve understanding between countries and diverse peoples. This goal is entirely worthy and the committee is to be congratulated for its foresight in suggesting this Center with this particular function. Insofar as marketing and promotion of Indian crafts is concerned, the legislation should be amended to delete this activity. The past two decades, and even before that if the committee wishes to investigate thoroughly, various federal agencies, particularly the Bureau of Indian Affairs and the Department of Commerce under the EDA have tried to develop a successful arts and crafts program which would bring some significant income into Indian communities. These programs have largely been failures and some reservations still have closets filled with beaded bolo ties which their people made in anticipation of the immense income promised them by more efficient crafts sales programs.

The solution to marketing of Indian crafts is simply the production of more sophisticated products which will attract a specialty market because of their quality. Upgrading the talent in the Center for Culture and Art Studies is a much better way of accomplishing this goal than placing the responsibility for marketing on an Institute whose other activities are all oriented in a much different direction. The Center for Native American Scholars, by interpreting the spiritual, intellectual, and creative atmosphere in which Indians have traditionally understood art and craft working would provide the context necessary for more people to understand the goals of Indian arts and crafts thereby making them potential customers of new products and creations. However, a marketing function attached to what is basically an Institute for interpreting the unique nature of Indian culture would foreclose any possibility of its other activities being taken seriously by the cultural leadership of this society.

A Museum of Indian Arts as proposed by the legislation would give concrete expression to the concern demonstrated by the authors of this bill. If this museum concentrated on Indian arts which will be produced in the future from the Center proposed in Section 5(1), this museum could grow along with the Center for Culture and Art Studies. If this committee is thinking, however, of creating a new museum which would provide historical perspective by incorporating traditional and historical art objects as well as future productions, then it has greatly underestimated the size of the task which this legislation requires of the Institute. It would be fair to say that 98 percent of the potential historic materials that could have been collected have already been gathered into museums decades ago. The largest museum by far, the Museum of the American Indian, sponsored by the Heye Foundation in New York City itself has more artifacts than the rest of all the museums in the United States and a substantial portion of its objects are priceless under any conditions. Further these artifacts are not for sale although under certain conditions objects of particular interest can be loaned for displays with the approval of the Board of Trustees.

Additionally there are other fine collections such as the Museum of Natural History of the Smithsonian Institution, the museums at Anadarko, Oklahoma and Browning, Montana, and notable state and city museums in Chicago and Milwaukee among the most prominent. The same conditions which attach to the Museum of the American Indian regarding loan but not purchase of artifacts will undoubtedly be the same for these museums. Further, in recent years there has been a rapid movement of tribal governments to create and support individual tribal museums and cultural centers. Since the number of authentic artifacts is relatively small in proportion to the number of possible museums and cultural centers which might have collections, it would be virtually impossible to establish a new and major museum at this point in American history which would have any status comparable to the more prestigious institutions already in this field.

This situation need not prove fatal if the committee de[illegible]ate a major national museum and or collection for display. A centrali[illegible] and suitably designed building which could be used as a museum could [illegible]ablished in our nation's capitol as I presume a museum created under co[illegible]ssional initiative and on a par with museums in other countries would be located in our nation's capitol. The existing museums might be offered an opportunity to participate in creating a continuing display for this museum and while they would not surrender their present collections, they might be reimbursed for their participation in the creation of displays in an amount which would enable them to stabilize their own situations. Further, these museums should be able to provide sophisticated training programs for American Indian young people desiring to enter this field as a career. While this course of action would not create a permanent collection owned by the Institute, it would nevertheless enable the Institute to take the lead in displaying the cultural heritage of the Native American peoples.

I assume that all other functions such as creation and preservation of archival materials of a documentary, photographic, or audio nature would fall under the rubric of one of the above-named centers. If not I would suggest that some consideration be given to establishing as the task of one of these centers, most probably that of the Center for Native American Scholars, this field of endeavor. Additionally, archival materials such as agency reports, Court of Claims and Indian Claims Commission materials, and private collections might be gathered over a period of time and classified using the most professional system available. The present system makes it virtually impossible to do adequate research when the materials that could be used are barely catalogued and in some instances unknown.

My earnest recommendation is that the committee authorize a special research project which would survey the existing resources of the various museums and archives, including private libraries, compile a list of potential American Indian artists and crafts people and scholars in the liberal arts-social science-humanities area, and survey the existing programs of cultural exchange now available to American citizens under a variety of programs and report to the committee the existing state of things covered in this legislative proposal. The present bill, while it certainly indicates a sincere effort by the members of this committee to come to grips with an important dimension of the Native American experience, is basically constructed without a firm knowledge of existing conditions and institutions which might be of assistance or prove a hinderance in the development of the Institute as proposed.

I think that this work should be done before any final decisions are made on establishing this Institute. From the calibre of people appointed to previous federal commissions, advisory groups, and boards I would say that this task, if not performed adequately prior to the creation of the Institute, would never be performed after its authorization. Federal appointments generally perform the function of paying minor political debts rather than attempting to come to grips with specific issues and problems and there is no reason to believe that the appointments to this board would vary in the slightest from those previous executive appointments. In view of the dismal federal-congressional track record in this respect it is better to perform as many professional activities as possible before turning an institution over to political appointees.

I hope that this discussion has been useful to the committee and I would be happy to respond to any questions the committee might have. However since the cost of airplane fares has escalated beyond reason since the decontrol of the airlines which was supposed to save the taxpayers money, I am unable to afford the cost of appearing at the hearings in person and therefore would prefer to answer any further questions via the mails which, although not as reliable as I would like, are nevertheless our only recourse today.

PREPARED STATEMENT OF JOSEPH DUFFEY, CHAIRMAN, NATIONAL ENDOWMENT FOR THE HUMANITIES

Mr. Chairman, I appreciate the opportunity to testify today regarding the development of the culture and arts of Native Americans—a topic of extreme interest to the National Endowment for the Humanities. As an agency mandated by Congress to further American understanding of all the elements which make up the mosaic of American life and culture, we view the culture of Native Americans with neither sentiment nor guilt, but with a lively appreciation of its continuing

and commanding contribution to our imagination and our values. We view the traditions and artistic expressions of the native peoples of our country as one of its most valuable cultural resources. We support Congressional efforts which will assist the Native American communities in the preservation and enhancement of their cultural traditions and which will work to increase the appreciation of the non-Indian members of society for the diversity and richness of Native American traditions.

Those of us who are not Indians rarely stop to consider the many ways in which our lives have been enhanced as a result of our native peoples. All aspects of Native American existence have been formative in the creation of the greater American society—agriculture, government, religion, trade, mythology, economics, arts, and crafts. Sadly, we rarely recognize the contributions. Sad too is the fact that the interpretations of Native American culture have too often been by non-Indians and too often been far from accurate.

We encourage efforts to create an environment which will enrich the national culture by enabling Native Americans to maintain a traditional art and culture and to develop that tradition further. As their cultural isolation in urban environments increases and as the effects of the assimilation policies of the past continue to plague the reservation and rural Indian communities, the need for a formal structure for the study of Native American traditions is essential. It can act as a vital complement to the unofficial frameworks which still operate in many regions of the country where the elders still teach their children and their children's children the ways of the past and the manner of its cultural and artistic expression. A well managed, adequately funded institute of culture and art can be a concrete fulfillment of the hopes generated in the 1930's when for the first time we understood the integrity and splendor of the many native cultures. A robust educational center which can train scholars, artists and professional administrators of cultural institutions is of particular importance to our Endowment.

NEH is funding more and more Indian projects. Among our recent grants is one to the Yakima Nation to bring to fruition its plans for a program and exhibit about their history and culture. Thanks to another NEH grant, visitors to and residents of Niagara Falls will soon be able to expand their understanding of Native American culture, particularly that of the Iroquois, by visiting the interpretive exhibit at the new cultural complex of the Native American Center for the Living Arts. In both of these institutions, IAIA trained personned were involved in the development of the programs. We look forward to supporting more such projects.

It is quite clear that an institution devoted to the study of Native American culture and art and to the training of Native Americans is a necessary adjunct to agencies such as ours. We appreciate the efforts of Congress to address the problems of the past to extend cultural aspects of Indian life. This provides an irreplaceable service both to the Indian community and to the entire nation.

NATIONAL ENDOWMENT FOR THE HUMANITIES,
Washington, D.C., January 24, 1980.

Hon. JOHN MELCHER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MELCHER: Thank you for your invitation to report on S. 2166. While we support the intent of the bill, there are a few questions raised by the specific language of the bill.

(1) On page 3 the words "Indian" and "Native American" are defined quite broadly. They cover tribes whose territories cross the borders of the United States and Canada or the United States and Mexico. They appear to also cover members of tribes formerly located in the United States but presently located in some other country, such as Mexico or Canada. Is such breadth intended?

(2) Section 4 (f) on page 5 does not clearly specify what will happen if the President of the Institute fails to follow Board directive. I believe that the President should serve at the pleasure of the Chairman or of the Board.

(3) Section 4 (m) on pages 7 and 8 is not clear concerning the ownership of real property. If the Institute is to be a Government agency, should not 4 (m) provide that any real property be held in the name of the United States?

I hope these observations will prove helpful.

Sincerely,

JOSEPH D. DUFFEY, *Chairman.*

THE NATIONS PROJECT,
Santa Fe, N. Mex., July 22, 1980.

MAX I. RICHTMAN,
Staff Director, Select Committee on Indian Affairs, U.S. Senate,
Washington, D.C.

DEAR MAX: I'm afraid I will not be able to attend the hearing on S. 2166 as I had earlier hoped. I can offer a few comments on it but off the record and just for your consideration.

I think it highly unlikely that foundation support could be expected for the proposed institution until several things happen. First, it is obvious to a foundation officer looking at the bill's genesis that it arises from a politically disputed situation. Until the institution appears less as a possible way out of a three or four sided controversy and more as an intrinsically significant undertaking, it will appear to private funding sources as an effort engaging great energies but having little productivity. Assuming the political controversies surrounding the Arts and Crafts Board and the Institute of American Indian Art can be resolved, the second crucial element that would have to be added is simply a substantive presentation of the functions and programs of the new institution that would clearly demonstrate the new possibilities created by bringing together separately authorized federal programs.

Foundation personnel would need to see, at the least, a statement of possible new directions for the institution authored by experts likely to play a major role in shaping the program. Once they have that, with the assurance that the institution's basic support will be provided by the federal government, they would be open to considering proposals for specific projects. But the disadvantage of the institution now, from the private funding perspective, is that it seems to originate not from a groundswell of effort by persons prominent in Indian artistic and cultural affairs but from the search for compromise among political figures.

Once the institution had gained credibility, however, there are many areas in which I can foresee it being quite helpful in channeling private funds into areas now ignored by foundations, partly for the reason that there are so few appropriate vehicles for investment. A national Indian cultural institution could help relate foundations more effectively to local Indian programs, such as museums, oral history projects, and archeological work. Foundations presently work through non-Indian universities and museums for most of their contributions in such areas but might be cultivated by a reputable national agency to support tribally controlled efforts instead. There clearly exists a national problem tribes face in seeking recognition from the non-Indian artistic and cultural establishment for the legitimacy of their controlling the fate of their archeological and artistic resources. A reputable Indian agency, capable of national networking and academically respected research, could be a critical institutional link between tribes and non-Indians in this complex and sensitive area. Further, the Inter-American Indian Institute component would create for the first time a way of relating private funding sources interested in domestic Indian issues to the situation of Indians in the other American countries. That would be a valuable contribution.

There are many exciting possibilities on which I can speculate, but until the proposed institution involves a few highly qualified figures associated with it as founding staff and until they have articulated distinctive programmatic interests, the foundation world will not have much response to the bare concept as it now stands.

Please keep me informed on the fate of this proposal, and let me know if I can help with any aspect of the development of ideas for the institute's programs.

Thank you for your invitation to testify. Perhaps I can make it to a later hearing.

Sincerely,

JOHN A. FOLK-WILLIAMS,
Executive Director.

SANTA FE, N. MEX., *May 12, 1980.*

Hon. JOHN MELCHER,
Chairman, Select Committee on Indian Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MELCHER: Thank you for inviting me to respond to questions and to make some comments about Senate Bill 2166—to promote the development of Native American culture and art.

The following comments are made as one who was among the charter members of the small group in the early '60s whose efforts resulted in the evolution of the concept and programmatic efforts of the present beleaguered Institute of American Indian Arts. Please consider the fact that I, as an Indian art educator contributed much to the early-on idealism of that institution to further the cultural well-being of Indians through the recognition and development of their arts and related cultural activities, serving IAIA as a consultant for the origination of its art educational approaches; as its original Director of Arts in 1962, and subsequently as its President (1967–'78). I claim to speak from a vantaged position in that regard:

The most singular and positive note struck by the Bill is its long overdue and comprehensive recognition that the cultural welfare of Indian peoples is a cause that is as worthy as those similarly important cultural concerns of the nation as a whole which are already recognized and supported by a number of federal institutions such as the Smithsonian Institution, the National Gallery, the National Endowment for the Arts, and the National Endowment for the Humanities, and others.

The most negative aspect of the proposal is the concept of a plan for a cumbersome and "politicized" board of trustees that is not under Indian control. The legislation is pointless without Indian control; it does not recognize the simple fact that Indians, in their eternal and reflaming sense of human rights (always nonimmigrant, non-melting pot oriented) require the imperative of privacy in dealing with their own cultural matters, the management of which simply can not be shared with even well intentioned but transient Presidents, Secretaries of the Interior, Education, Smithsonian Institution; the National Endowments of the Arts or the Humanities; Library of Congress or a politically designated executive officer.

Such a hydra-headed Bureaucracy would put any of the historical ineptitudes of the Bureau of Indian Affairs to shame—if for no other reason than by its sheer weight in relationship to the Indian members.

Indians must run their own cultural lives; any contemplated Institute should be run by an Indian Board of Directors, and should be given a complete mandate of authority, and of even greater importance, responsibility for programming, and the funding of its own ideas. Indian cultural matters, above all other considerations, are simply not the direct responsibility of federal or state government. Funds from such sources should be in the form of only the Indian's fair share of public monies (such as that disbursed for the good of all Americans by the National Endowments), and legitimately earmarked Indian educational monies and scholarship funds. Additional funds needed for creatively managed growth needs should come from the abilities of the responsible board members to raise monies from the public sector, private industry, foundations, and other such sources. To be subject to the limitations of government (as everyone knows) is to be underfunded—sooner or later.

It is unrealistic and capricious to think in terms of the $4 million that is authorized in the legislation (even if that amount were actually appropriated, which in itself would be unusual). $4 million does not begin to be adequate to carry out the multiple objectives and responsibilities for such a mandated fell-swoop approach as that outlined in the plan—particularly with the entirely new and additional support for the development of Native Hawaiian culture groups and others who are apparently just waiting to share the pie. What a scramble that will be!

Now to the four questions to which you have specifically invited response:

(1) *Potential relationship to the American Indian Religious Freedom Act and the Archeological Resources Act.*—The new Institute would be the appropriate agency to monitor the compliance of other federal agencies with the American Indian Religious Freedom Act, but only if the new Institute is under Indian con-

trol. No similar direct role with the Archaeological Resources Act would be appropriate, as that legislation is not exclusively concerned with Native Americans.

(2) *Number and qualifications of public members.*—There shouldn't be any public members who serve ex-officio, except as an Indian control board might wish to determine. However, even then, individuals should not be precluded from serving simply because they hold a public position.

(3) *Location.*—The Institute should be located in Santa Fe, the recognized center of the Indian art world, and in proximity to the center of the greatest number of Indian oriented educational institutions (with some major exceptions of course). Eventually, the expanded services of the Institute would warrant satellite locations, and an office in Washington, D.C. would be necessary.

(4) *Relationship to any museum of Indian art in the United States.*—There shouldn't necessarily be any direct relationship with museums except those with whom compatible affiliations would be expected to evolve. The museum aspect of the Institute's program should be primarily one of service to Indian communities in whatever broader community relationships those communities might be assisted to undertake. In that connection, additional funding would be required by such relationships, as museum operations require continuing subsidy. Training of Indian museum specialists should be a major responsibility.

Summary comment:

The simplest way to move towards true viability in the matter of a national cultural center would be for the Department of the Interior, through means already at its disposal within the existing structure, (The Indian Arts & Crafts Board) to contract with the already performing Native American Council of Regents and charge them with the responsibility of truing up their membership with regards to a national Indian constituency and come forth to Congress with a developed plan which they themselves would be willing to carry out. It must be assumed that such a group could begin, after adequate planning time, to launch a feasible, realistic and modestly costed, step-by-step, expansion plan of the old Institute of American Indian Arts program until it reaches the true nature of a national cultural service institution of the scope envisaged by S. 2166.

Sincerely,

LLOYD KIVA NEW.

NEW YORK, N.Y., *March 1, 1980.*

Hon. JOHN MELCHER,
Dirksen Senate Office Building,
Washington, D.C.

DEAR SENATOR MELCHER: I have recently read the proposed text for S. 2166, relative to the creation of an Institute of Native American Culture. Inasmuch as I served as Chairman of the Indian Arts and Crafts Board at the time of the establishment of the Institute of American Indian Arts, I am taking the liberty of making the following comments concerning that text, since I believe that there are points included which in my view will prove troublesome in years to come, or which will distract from the stated purposes of the legislation.

Specifically, I call your attention to these sections:

Section 3(i) The loose definition of "Indian art and culture" will inevitably open the door to many of the pseudo-Indian activities which continue to plague the Native American world today. Here, and in the next section, are opportunities for a progressive legislative step to be taken by more carefully-worded terminology.

Section 3(3) As above, another equally troubling phraseology. If you define Native American only as "a member of an Indian tribe," this will introduce real difficulty in determining eligibility to the Institute—just as it has in other aspects of American Indian activities. Even more seriously, if Native Americans are defined as "the descendants of an aboriginal inhabitant of the United States," the Institute must perforce accept Puerto Ricans, Hawaiians, American Samoans, etc., all of whom would qualify, since there are "aboriginal" bloodstreams present in many inhabitants from these areas. While I fully agree that each of these has a right to consideration, each is unique, and should warrant specialized facilities appropriate to those unique features. And I believe that I can guarantee you that eventually someone will challenge the Institute on this very basis. You have a responsibility to avoid such challenges in the formation of any law you propose.

Section 4(b) I presume the inclusion of personnel from the National Endowments of the Arts and Humanities as trustees is legal, but I seriously question

whether it is wise. To my mind this offers problems. The Institute will frequently entertain grant-related programs, and the presence of individuals from such grant-making organizations suggests a conflict of interest which may well be debatable.

Section 5(3) As I read this, the Center for Cultural Exchange duplicates, or cancels, the present Indian Arts and Crafts Board. This may indeed be the time to abolish some of the existing Federal agencies, and I do not exempt the Board; but the bill does not very clearly spell out just what the intention of the Congress is in this regard. The Indian Arts and Crafts Board has had a long and honorable history, but this Act tends to ignore that background. It would seem to me that a simple transfer of the Board to the new Institute facility, with directions to carry out, as it presently does, the specified functions of the proposed Center for Cultural Exchange, would more appropriately apply, and would also appropriately recognize the past services and historical functions of the Board.

Section 5(4) In my view, the establishment of a Museum is a serious mistake. If the Institute continues to locate in Santa Fe, New Mexico, as proposed—in which I most wholeheartedly agree—it will be in a region where there are already a dozen or more Indian-oriented museums with fine collections. None of these has ever enjoyed adequate support, which has prevented them from fulfilling their true potential role in the community, and I doubt this will radically change. This section of S. 2166 introduces further local competition which will only compound the situation. I am firmly convinced that it would be politically and socially reprehensible to create such inevitable rivalry. And, if the Museum holds only a limited, small collection, it will serve little purpose; instead, it will cause added needless expense, while offering sparse research facilities which students can more effectively find just next door. In business, competition is certainly beneficial; in museum services, cooperation is preferable. With the large number of museums already in an area with small population, competition is unavoidable. I would suggest that your Committee look into the problems of the present Santa Fe museums before making this decision final.

I warmly compliment you and your Committee for the time and effort which has gone into the preparation of this legislation, and the interest which it reflects in the problems of Native American artists. I assure you that I write this letter out of concern for the well-being of those artists and the non-Indian public, not with a thought of nit-picking the legislation. I have enjoyed well over thirty years' activity in this field, and I draw upon that experience to offer these few comments. I trust you will accept them as well-meaning, in the light of a long-time professional concern.

For your distinguished services and well-demonstrated interest in Native American art, I extend my most sincere appreciation.

Very truly yours,

DR. FREDERICK J. DOCKSTADER.

Senator MELCHER. Our next witness will be Emerson Jackson, international president, Native American Church of North America, from Shiprock, N. Mex.

Is Emerson Jackson here?

[No response.]

Senator MELCHER. I do not think he is here.

Our next witness is Dr. Roger Buffalohead, ethno-historian, and member, Ponca Tribe of Oklahoma, and now a resident of Bemidji, Minn.

Roger, we are delighted to have you here with us. We think your testimony will be very helpful for the committee.

STATEMENT OF ROGER BUFFALOHEAD, ETHNO-HISTORIAN, MEMBER, PONCA TRIBE OF OKLAHOMA, BEMIDJI, MINN.

Mr. BUFFALOHEAD. Mr. Chairman, it is an honor to testify in favor of the Native American Culture and Art Development Act. In supporting S. 2166, I join the many outstanding Indian leaders, artists,

scholars, students, and public servants in commending you and other sponsors of this legislation for your initiative and sincere interest in supporting Indian artistic endeavors and related academic activities.

The proposed legislation is a welcome indication that American society has matured enough to begin to encourage, promote, and support Native American art and cultures to assume their rightful and proper role in the life of this community and the world at large. In the future, the goals realizable through this legislation may turn out to be among the more enlightened and significant actions taken by Congress in this century.

In Native American art and culture, there is more than a unique tradition; there is a way of viewing or seeing the world that delicately balances and nurtures a relationship between human beings and the Earth that not only the United States but the whole world might profit from in searching for solutions to grave social, economic, and political problems rooted in value systems either breaking down or strained to the limit by the condition of our times.

Nothing seems more in the self-interest of the country than to encourage and promote alternative cultural growth and development within the boundaries of the Nation. Societal stagnation occurs when older and newer ideas fail to produce new synthesis, new directions. If ever there was a time when the country needed new approaches and different ideas, it is now. I foresee in this legislation an intelligent and meaningful use of a long neglected resource—the tribal life of Indian groups—in the furtherance of developing an America where strength through our ideas and vision of life stands at the core of who we are as a people and what we represent as a Nation.

Great nations, like great men, keep their word. This legislation, I think, should be viewed as clear evidence that the Nation, if it is the desire of Congress and the American people, can best keep its word to Indian people through a mutual sharing of an art and culture deeply rooted in this land and, at the same time, promote the development of communities whose present gifts to the world are astonishing and whose potential gifts are just beginning to find their place in the affairs of all people of the world.

While others appearing before this committee have been practical and technical in their concerns, I am deliberately focusing on the ethereal or, if you will, the unpractical or philosophical implications of your proposed legislation. Too often in the United States, the Indian people have been dismissed as demoralized human beings without ideas and perspectives to contribute to the national well-being.

I am greatly pleased to see in your legislation things for the Native American mind. S. 2166, as I understand it, would establish an Institute of Native American Culture and Arts Development which shall include a Center for Culture and Art Studies, a Center for Native American Scholars, a Center for Cultural Exchange, a Museum of Indian Arts, and any other programs or centers which would fulfill the purpose of this authorizing legislation.

In reviewing the sections of this legislation, I find the various parts in need of an overall educational philosophy and greater clarity about how the various units are to function and interrelate with one another in carrying out the general goals of the Institute.

I do not believe it would be wise nor in the best interests of the Congress to try to develop an overall educational philosophy for the proposed Institute. However, I do believe that Congress can and should establish a mechanism whereby an educational philosophy acceptable to the 200 Indian communities in this country can be hammered out for the Institute. I mean by this, a mechanism which provides answers to a number of questions, including but not limited to the following: Who will be clients? What kind of curriculum will be provided? What kind of degree programs will be offered? How will accreditation concerns be addressed? How will the Institute relate to other higher education institutions and art and cultural centers?

In organizations like the proposed Institute, creativity is often thwarted by internal conflict over authority and decisionmaking. Many of the current problems facing the IAIA stem from the confusion and demoralization which occurs when authority and decisionmaking are diffused and become what former Commissioner of Indian Affairs, John Collier, called, "bureaucratic absolutism."

In establishing the Institute, careful attention should be paid to the organizational structure of the Institute with lines of authority and clearly defined functions for each unit and built-in accountability procedures. The proposed legislation lacks specificity on these matters and apparently assumes that the proposed board and President will resolve these matters in the course of administrative startup and program implementation.

The proposed board seems too large. A national board is costly in terms of travel and other related expenses. A smaller one, perhaps five or seven members, might prove more suitable to the goals of the Institute. In composition, this board should be made up of the greatest talents that exist in the Indian and non-Indian world; people who have the insight, experience, courage, and fortitude to strive for nothing short of the best for the Institute. A majority of these people should be Indian, and at least one should be a nationally recognized Indian professional in the field of art or cultural studies.

In my view, the tasks which the Institute is designed to fulfill need more thought. As Vine Deloria, Jr., points out in his written testimony of July 17, 1980:

> The question is not one of intent but of collecting the necessary resources to enable the Institute to function effectively.

His recommendations for each of the proposed units should be carefully considered.

In addition, the committee might wish to resolve the problems contained in establishing a Museum of Indian Arts by following an approach pioneered by several States. This approach would utilize the institute site in Santa Fe as a curatorial repository for native arts and cultural items and establish regional Indian art and culture interpretive centers to make this valuable heritage more accessible to the tribes and the general public.

The interpretive centers would serve an educational function and provide Indians and the general public with works of art, past and contemporary, and cultural materials which otherwise would be inaccessible but to a limited few who could afford to visit the New Mexico site. Through proper coordination and the development of fa-

cilities designed to handle precious museum holdings, art, and cultural items available from museums in the United States and the world could be "brought home," so to speak, to the sources of their origin as inspiration and insight into the mind of native America.

Native American art and culture is sometimes viewed as photography frozen in time. In reality, Native American art and culture is more like film or motion picture with continuous development and action. The institute, it seems to me, should strive to capture the living dynamic of tribal traditions, while maintaining the greatest sensitivity to the right of each tribe to determine the legitimacy of its own unique art and cultural form and traditions. Tribal cultures are not so fragile that the institute could either destroy or accidentally harm them through either ignorance or indifference. Most tribes will react to the quality of the institute's programs through either sending their people to profit from the training or keeping them home.

In testimony before this committee in April of this year, Governor Robert Lewis on behalf of the Pueblo of Zuni proposed an addition to the legislation which I support. He proposed the addition of a part (d) to section 6, as follows:

All programs and policies of the Institute shall be developed only after full consideration of the American Indian Religious Freedom Act, the Archeological Resources Protection Act, and applicable tribal customary law.

I join the Pueblo of Zuni in urging for the inclusion of this language which will provide specific assurances that S. 2166 prohibits Federal interference with the cultural rights of tribes and Indian people.

A number of comments have already been made to this committee regarding the level of funding authorized by section 8 of the bill, S. 2166, for purposes of establishing the institute. I understand that the figure of $4 million is roughly equivalent to the amount currently available to the IAIA and the Indian Arts and Crafts Board combined. In view of the fact that the proposal for the institute, as a practical reality, calls for a period of careful planning and development, that amount would appear to be a reasonable figure for those purposes, if not for purposes of fully implementing the legislation.

The trustees of the institute will have the responsibility of justifying more realistic funding levels before the Appropriation Committees for succeeding years based on development plans that will include a larger student body, faculty, administration, and perhaps facilities acquisition and construction.

Since section 8 of the bill does not specifically identify the purposes for which this initial authorization may be used, perhaps it may be wise for this committee to make it clear that such planning and development activities are, indeed, contemplated; in which case, tasking the institute with the functions and responsibilities of the Indian Arts and Crafts Board should be reconsidered.

In addition, a number of commentators have suggested that the Indian Arts and Crafts Board has had to respond to inherent pressures to support art which is commercially marketable, as contrasted with art which is first and foremost a medium of cultural expression. If this is indeed the case, the board and the institute should also be reexamined from a substantive, as well as fiscal, point of view.

Future funding levels will also be affected by the extent of the student and service population of the institute. Given the current state of the economy, the issue of eligibility and entitlement under S. 2166 becomes a practical matter of available money as well as a political definition of "Native American." Both issues of appropriation and policy are, strictly speaking, congressional determinations.

In the definition section of S. 2166, the issue is not whether federally recognized Indian tribes wish the exclusion or inclusion of Alaska Natives, Native Hawaiians, urban Indians, or nonfederally recognized Indian tribes. The issue is how much the Congress is willing and able to spend to demonstrate the national commitment to Indian art and culture and how many people and entities that amount will serve.

The definition of "Native American," for the purposes of this measure, must be viewed in the context of other policy determinations of the Congress as well as pending court cases and the ongoing administrative recognition process. This issue is discussed in the Administration's August 1979 Report to Congress, prepared pursuant to Public Law 95-341, the American Indian Religious Freedom Act, which states that:

> The status of the United States relationship with Native Hawaiian and Alaska Native people is under congressional jurisdiction at present and subject to change. This is also the case with those American Indian tribes whose relationship with the United States has been the subject of a standing act of termination. This relationship between any non-Federally-recognized Native group and the United States could change in the future as a result of actions in any of the three branches of Government.

Given this situation, any definition the Congress may settle on for this bill for the present must be flexible enough to allow for future inclusions or exclusions, yet specific enough to limit the service population to the Federal ability to serve.

I applaud this committee's willingness to undertake consideration of the complex and difficult issues to be addressed in this legislation. Thank you for providing me an opportunity to present testimony and for your pursuit of other steps necessary to take the idea of S. 2166 to the reality of a National Institute for Native American Art and Culture.

Senator MELCHER. Roger, on the third page of your testimony you say that Congress can and should establish a mechanism whereby an educational philosophy acceptable to the 200 Indian communities in this country can be hammered out for the institute. Then you pose a series of questions.

Vine Deloria, in his prepared testimony to the committee, said:

> My earnest recommendation is that the committee authorize a special research project which would survey the existing resources of the various museums and archives, including private libraries, compile a list of potential American Indian artists and craftspeople and scholars, * * * and then report to the committee the existing state of things covered in this legislative proposal.

He says the bill is basically constructed without a firm knowledge of existing conditions and institutions which might be of assistance or prove a hindrance in the development of the institute, as proposed.

I think you and Vine are sort of leading up to the same thing, and I am not so sure but that we should not take your recommendation and make it a part of the bill, and have about a year's time for the develop-

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ment of a series of recommendations to the President before the board that is envisioned by the bill is created. That might be time well spent, but we would have set in motion the very process to arrive at what I detect is a very common desire by all of us: to emphasize for both purposes of preservation and enhancement, as you so well pointed out, that Indian art should not be thought of as frozen in time—I think those are your words—but as a dynamic, continuing art form and culture.

So, what would you think of that: That the bill itself have a section providing for the very mechanism that you and Vine have spoken of, and that that recommendation would not be an unlimited period of time but would collect and make a recommendation within a year's time, or 16 or 18 months' time, and then have the President appoint the board to carry out those functions that have been identified?

Mr. BUFFALOHEAD. I think I could support that.

Senator MELCHER. You have the question of how you set up the study group first—I recognize that—but I think we could arrive at a decent way of doing that.

Do you interpret S. 2166 as in any way infringing upon Indian religious freedom?

Mr. BUFFALOHEAD. I think if you follow my recommendations and that of Governor Lewis, it will not, but there is a possibility that it could as it now stands.

Senator MELCHER. Yes.

Mr. BUFFALOHEAD. My feeling about it is that tribal cultures are not as fragile as they are being presented by some groups testifying before this committee. I think they are living, dynamic cultures, and I would hate to have the non-Indian world think that they could create an institution that would destroy Indian cultures when the fact is that the Bureau of Indian Affairs, one of the oldest institutions around, has not been able to destroy Indian cultures, and they deliberately set out to do that.

So, I guess I just want to remind those who are giving testimony that our cultures are very strong, and I do not see them seriously threatened by the legislation, but I think there is a possibility that if you adopt the recommendation of Governor Lewis, that possibility would not be as great.

Senator MELCHER. Do you think the recommendation would adequately protect Indian religions?

Mr. BUFFALOHEAD. I think so; it would be my belief that it would.

Senator MELCHER. Thank you very much, Roger. We very much appreciate your testimony and your very thoughtful suggestions for improving the bill.

Mr. BUFFALOHEAD. Thank you.

Senator MELCHER. Our next witness is Ms. Rose Robinson, Phelps-Stokes Fund, Washington, D.C.

STATEMENT OF ROSE ROBINSON, VICE PRESIDENT AND DIRECTOR OF AMERICAN INDIAN PROGRAMS, PHELPS-STOKES FUND, WASHINGTON, D.C.

Ms. ROBINSON. Mr. Chairman, thank you for this opportunity to appear before this committee as it deliberates on the proposed bill.

S. 2166, to promote the development of Native American culture and art.

My name is Rose Robinson. I am a member of the Hopi Indian Tribe of Arizona. I am the vice president and director of American Indian programs for the Phelps-Stokes Fund, a privately operating foundation which has as one mandate the objective to promote American Indian development.

My professional background includes approximately 17 years of Federal service with the Bureau of Indian Affairs and the Indian Arts and Crafts Board of the U.S. Department of the Interior. I am also eastern region chairperson of the National Indian Lutheran Board, a grants program sponsored and supported by the Lutheran churches in America, and a past member of the National Endowment for the Arts Expansion program.

A major part of my work is to assist and counsel American Indian and Alaskan Native tribes and groups in resource development and grantsmanship. While this is primarily related to private sector resources, I am also of necessity aware of Federal resources.

My statement will be brief and will relate primarily to the funding of American Indian and Alaskan Native arts and cultural developments as these relate to S. 2166 in particular and to the field in general.

My comments are also based upon my professional experience and personal involvement in the field of American Indian and Alaska Native arts and culture for the past 18 years.

In preparation for this testimony, we conducted an informal study of information provided by the records from the library of the foundation center, the major national repository of foundation information. Our study covered the period 1970 to the end of 1979.

Let me first say that there are approximately 25,000 private grant-making foundations in the United States, of which approximately 3,000 report their grant-making activities to the center. While it is conceivable that many more grants are provided Indian projects from the remainder whose information is not included, it has been my discouraging experience that such assistance is probably minimal at best.

American Indian and Native Alaskan funding needs do not receive much attention from the private sector. For your information, other private funding sources include corporations, religious organizations, and individuals. There are, at present, no central repositories of information on grants distributions from these sources, but, again, it would be my estimation that these other groups constitute a very insignificant resource to American Indian and Alaska Native development as a whole.

From the period 1970 to the end of 1979, our research found that approximately $73 million was expended in grants to a category identified as humanities. This encompasses the arts, architecture, museums, history, language and literature, and philosophy. Of that amount, approximately $2.5 million was identified as grants for American Indians and Alaska Native projects. A further breakdown of this latter amount showed that only $567,000 went directly to those projects controlled and operated by American Indians and Alaska Natives. The greater amount went to non-Indian organizations and institutions for projects ranging from purchase of collections and support of museum activities

to research. The total received by American Indian and Alaska Native tribes and groups directly has, therefore, been minimal from private resources. That provided to Federal programs such as the Institute of American Indian Arts is practically nonexistent.

What does this say about projected private support for an entity such as the proposed Institute of Native American Culture and Arts Development? To me, it is clear that the major financial support for the Institute will be upon the Federal shoulder.

I have problems with this as a taxpayer and as an advocate for the tribes and groups that come to me for help. The proposed plan is so all-encompassing that the size of its financial support would inevitably be questioned by those people it plans to serve, never mind the Federal watchdogs, and in the most basic terms, "How do we benefit from this Federal largesse?"

As an example, I refer you to the work of the Indian Arts and Crafts Board, one of the present agencies the proposed Institute would absorb. If you were to make a grassroots survey of those most logical to know—the artists and craftsmen—I would not be surprised if you found that many of them were totally unaware of the Board and what it is mandated to do for them. In my counseling experience, I find that most of the group I meet with know nothing about the agency as a possible resource, and that is very limited.

In this regard, I see the proposed Institute as functioning at such a grand level that it will inevitably lose touch, if it ever makes the effort, with people it will presumably serve. I fear it will give lip service to constituent involvement, but for the most part it will be professionally staffed primarily by non-Indians. Given the proposed makeup of the Board of Trustees and the method of their designation, the process will be highly political. Do American Indians and Alaska Natives need this?

It appears that, yet again, plans in which a people have had no part in development are again being hatched in the rarefied atmosphere of Washington, D.C., to be foisted upon those who neither know nor care about the grandiose plans. Their need is real and immediate.

I believe that the Federal Government could make better use of the proposed expenditures for such an Institute in a more real way: a grants program that would provide direct support to American Indian and Alaska Native arts and cultural development. This support is now sorely lacking. If and when there is a groundswell of support from these constituents for the establishment of an entity like the proposed Institute, it is at that time that the Government and the Congress should work together with them to make it happen.

I do not see the proposed Institute as any answer to the primary needs of American Indian and Alaska Natives now for support of their self-identified and developed arts and cultural development efforts. What they need from you and the Federal Government is direct support.

Thank you. I will be happy to answer any questions.

Senator MELCHER. Rose, I wonder if you do not think that there is more emphasis from Congress on a clearly defined national push toward, not only preserving what culture has been developed by Native

Americans, but also enhancing it, which this bill would accomplish? Would that not create the atmosphere for more interest by private sources for grants?

You very closely identified what you think were the grants from private sources.

Ms. ROBINSON. It is a possibility. I think the one organization that you could look at as an example would be the Smithsonian Institution. What kind of support does it receive through the private sector? That is one way of looking at it. But, of course, there again, there would need to be research. But at this point, I do not see any large amounts of assistance coming to such an Institute immediately. Perhaps 10 years or 20 years down the pike, that might be true.

Senator MELCHER. You have identified one-half of $1 million going from private sectors to what you identify as helping Native American culture and art. I think that is so infinitesimally small that it would take hardly anything to increase that amount. If your figures are correct—one half of $1 million from private sources—I think that could be multiplied several times within a year or two.

Ms. ROBINSON. I would hope so, but that does not seem to be the experience of people I have worked with. I think the 1970's were probably the best years for American Indian funding by the private sector of any time in the history of this country. Perhaps it will be better in the 1980's. I do not know, but I am not optimistic about it, given the state of the economy.

Senator MELCHER. I think you are addressing your remarks about developing Indian art and culture, are you not?

Ms. ROBINSON. I am speaking about the whole area that the bill addresses.

Senator MELCHER. What about a museum type of operation? Where do you envision that?

Ms. ROBINSON. The whole structure of a museum itself is very expensive if you are going to build one from the floor up.

Senator MELCHER. How about taking over part of the Smithsonian?

Ms. ROBINSON. If the Smithsonian is willing. I do not know. That is the kind of planning that I have not heard about. I think there needs to be much more study of this than I have seen.

Senator MELCHER. That is the eternal answer, and I agree: We need much more study. But how do you get the study?

Ms. ROBINSON. I am speaking strictly from the standpoint of people who need money now, and I see and work with them every day. I have to make my point. I am supportive of the concept generally, but I do not think that, at this point in time, with the problems that Indians have now, and particularly with the cutbacks in funding, a major outlay of this kind, which will not benefit anyone to any great degree within the next 5 years as the institute develops, is realistic for the people that I work with. And I have to say that I am speaking in behalf of that kind of constituency.

Senator MELCHER. Granted, there is not any money coming in from the private sector.

Ms. ROBINSON. There is no money coming in from the Federal sector either.

Senator MELCHER. There is some money from the Federal sector.

Ms. ROBINSON. Some money, but not very much.

Senator MELCHER. Granted, there is not much from the Federal sector, and there is very little from the private sector. It seems to me that at least we are doing something which would enhance both sources, Federal and private. I think that is what the bill attempts to do.

Ms. ROBINSON. I guess I see what the institute plans to do—a lot of the things that the institute plans to do are already happening. The Yakima Tribe just recently opened a heritage and cultural center. That is an actual fact. My Hopi Tribe has a cultural center. That is a fact. The All Indian Pueblo Council has a cultural center. Those kinds of institutions are already in place. There are tribes which are already doing research and development of their own cultures and histories, not to speak of the many American Indian artists and craftsmen working at the grassroots level who are trying to do this kind of work simply to support themselves. Those are the kinds of people I am talking about.

When you look at that in terms of an institute like this, which basically for anyone else would be a good plan, I presume—I have not looked at all the ramifications of it, and as I said I am strictly speaking from that standpoint—they do need it. They need the money that is going to be laid out to this institute over the next 5 or 10 years to support what they are doing already.

Senator MELCHER. I think we are talking about the same thing. But there is a basic disagreement between us. You think that if we do not do anything except just emphasize what individual tribes are doing, we will get there. But you would add to that, "Why does not Congress fund the individual tribes through a grants program?"

What I am saying is perhaps the same thing. I think the best way to get that and to assist the individual tribes and individual Indian communities is to emphasize the national significance of it, and that from doing that, rather than taking money away from them, we will be able to fund them much better in a more coordinated way. I am very serious that, in my view, this would open the door—not close it—to private funding.

You have a lot of experience in private grants, much more than I. But, you have testified that you can identify only a half million dollars for the last year. That is pitifully small.

Ms. ROBINSON. I would like to point out that there is a Federal agency already with a mandate to do that kind of promotion, and that is the Indian Arts and Crafts Board.

Senator MELCHER. That is right. That is why we want to enhance the Indian Arts and Crafts Board, because we do not think they are getting there very fast—45 years since its creation, I am thankful for everything that has happened; that they have been instrumental in causing to happen. I think we have to build on it, and rather rapidly, too.

One other thing: This bill is not just for Native Americans; this bill is for all Americans, for me, too. I think this is a part of my heritage that I am entitled to know something about, that has not been provided for the rest of us Americans at all. I think this bill is for everybody who is an American.

I have a profound interest in this and a profound ignorance in it that I think we should correct—for all Americans, not just those who happen to be Native Americans. Although the emphasis will be geared to what you have been working with all your life and the Hopis have been working with, preserving for future generations of Hopis, and that goes for other Native American groups, too.

I think it is for all of us, although we will put most emphasis on having it guided by Native Americans, but for the benefit of all of us.

I think we are working along the same lines. The question is how to get there fastest. I think the bill will help us get there a lot faster than you do.

What do you think of the idea we just discussed with Roger Buffalohead about incorporating in the bill some mechanism for a study of a series of recommendations to be made to the president before the Board is actually created, which is envisioned in the bill?

Ms. ROBINSON. I would generally agree with that.

Senator MELCHER. Do you have any suggestions on how to determine how the study is conducted and who conducts the study?

Ms. ROBINSON. I do not know at this point. I do not know if it would be in the province of the Indian Arts and Crafts Board, the Bureau of Indian Affairs, the Senate select committee, or perhaps an entity like the Smithsonian Institution. I do not know which would be the most objective group to do it. Perhaps an outside entity.

Senator MELCHER. I think the thrust of what Roger was talking about and what Vine Deloria was talking about was Indian input.

Ms. ROBINSON. Absolutely. I agree wholeheartedly with Mr. Deloria's statement.

Senator MELCHER. It does not seem to me we would want a mechanism for developing that.

Ms. ROBINSON. When I originally made plans to testify, I meant to make statements similar to that, but in my final analysis I thought my best statement would be to concentrate on funding because it was probably obvious that other people would be making those points, and they have. I agree with Mr. Deloria that it needs to have some input from the level where it is going to affect people most. As I stated before, I have a very strong suspicion that the plans were made in Washington, again, to be foisted on people out there without their input. We have seen this happen many times over the last decade in other areas, and I do not want to see that happen again in this area which I am very much aware of and concerned about.

Senator MELCHER. Without having it happen in this—what you describe as—rarified atmosphere of Washington, I do not know how you have a congressional action.

Ms. ROBINSON. I know, but there is hopefully a lot of local input into it.

Senator MELCHER. I think we all agree on that. There are two things, I guess. If you pass a bill, it is going to be done here. How the bill is implemented and carried out—if that is your point, to have the local input that is recognized and utilized—that is a different point. Maybe that is your point. Is that it?

Ms. ROBINSON. No, not really.

I think that from the people I have talked with about the bill prior to my pulling together my research and my statement, a lot do not have any feelings one way or another about it because they have not been involved in it.

Senator MELCHER. I understand that.

Ms. ROBINSON. These are people in the field. That is what I am talking about.

Senator MELCHER. But that happens all the time.

It is hard to generate a complete understanding, or even a complete awareness or interests from grassroots, no matter in what field. This happens to be in the American culture. But that is true of almost anything that comes before us. The awareness of it from the grassroots is not always there; it seldom is, as a matter of fact, unfortunately. We would like to correct that, and we do it every way we can. That is what these hearings are for; so we can engender some awareness and get some feedback.

One of the witnesses who was not here before is now here. I hope he can bring some further advice on the parameters of the bill.

I want to thank you, Rose, for your testimony.

Dr. Emerson Jackson is here now. He is the international president of the Native American Church of North America, Shiprock, N. Mex.

STATEMENT OF EMERSON JACKSON, INTERNATIONAL PRESIDENT, NATIVE AMERICAN CHURCH OF NORTH AMERICA, SHIPROCK, N. MEX.

Mr. JACKSON. Mr. Chairman, my name is Emerson Jackson. I am the president of the Native American Church of North America.

I do not have a written outline, but I do have jotted down some things that I wanted to cover here. There is an old Indian saying. They say, when he is going to talk and there is nothing in front of him to interpret, he means it. The Almighty puts it that way. At this time I want to share that with you, and I want to express myself from my mind and on behalf of my constituents, the Native American Church members, in relation to the bill, S. 2166, that is being proposed.

My concern mainly lies with the preservation of Indian tradition and culture and belief.

There are a lot of the younger generation at this time that have lost their tradition. We have a lot of them around that do not understand their own ways, and I am very concerned. My feeling is, how will we get them to educate their children in our tradition? This is lost somewhat among the Indian people.

Just recently—within a year or so now—the trend has been taken up where the Indian people are coming back to their culture.

In relation to the proposed bill, I would also emphasize again at this time, as previous people have mentioned, the Indian tribal representation. I think it is very important that all Indian tribes around the country be represented as much as possible. Also, there should be Indian representation on the board; that is a concern that I have.

Also, this center would serve as a repository, a center for the Indian culture, and perhaps keep records of our Indian heritage and tradition. This is the concern I have, especially with the church. We do

not have a very good record. At this time, I am working on it and trying to establish some sort of recordkeeping or some sort of an office so we can maintain records. This is very true among the Indian people.

Therefore, with the proposed bill that you have here, I am hoping it will help the Indian people in preserving their records, their culture, and their identity, so that the younger generations can inherit and understand the ways of Indian life.

I also must support the fact that art is known among the Indian people. I would like to say that we support the Indian art around the Nation.

Speaking of preserving, I have kids who come to me, and they ask about their religion, and they ask about their Indian culture and their Indian ways. Sometimes I do not have the time to teach them these kinds of things. I am speaking for the grassroots people. I am speaking about people that I go to out there.

These are the questions that are posed to me. Every day I travel around the United States, I travel to Canada; I meet with the Canadian Indians. I go to Mexico; I meet with the Indian people over there. And they ask me these questions. Therefore, I support the bill.

I think that with the control and representation of the Indian inpat, we can establish this and make good use of it in preserving our ways. That is how I feel. I am very much involved in trying to set up something like this for the church, and it is hard.

We have our own Indian culture center back home, but somehow Indian people just do not go there. There is something not right. I feel that if we get involved, we can assist the people that are to be selected to head this center.

Of course, I have a lot of questions that I wanted to ask. But, in conclusion, I would like to say that if this center were to be set up with all tribes being represented, to display their culture, their tradition, and their rituals. If it were worked up in this fashion, I think it would be a great thing. Not just to display traditions of certain dominant tribal groups around the country, but having all tribes represented. I would like to know about other tribes too—how they do their thing in the way of religion and their culture.

If we have this kind of setting, I think we will all be educated.

I would like to say this much, Mr. Chairman. If you have any questions, I will be glad to answer them. Thank you very much.

Senator MELCHER. I want to thank you, Emerson.

Of course, it would be a national center, and we would hope that all tribes would be involved and it would form the type of forum and type of exchange of information that you envision it should.

Along that line, do you interpret this bill in any way infringing on Indian religious freedom?

Mr. JACKSON. Not necessarily. There are ways of putting it. If we do not tell the younger people, if we do not tell the public, it is rather hard for the public to understand; that is the way it is. I am in that position sometimes. I think if they knew, they would have respect for our ways.

Senator MELCHER. If we incorporated the Indian Religious Freedom Act, by reference—I think that was recommended by Governor

Lewis of the Zunis at our hearing in Santa Fe—would that clarify that? His recommendation was this. In section 6, we had:

> All programs and policies of the institute shall be developed only after full consideration of the American Indian Religious Freedom Act, the Archeological Resources Protection Act, and the applicable tribal customary law.

It would be a safeguard against any possibility of infringing on Indian religious freedom. Do you agree?

Mr. JACKSON. Yes.

Senator MELCHER. Could you tell us, for the record, the number in the Native American Church of North America?

Mr. JACKSON. We have about 500,000 Native American church members in the United States, and we have about 25,000 in Canada, and about 5,000 in Mexico, and about 1,000 in South America.

Senator MELCHER. Thank you very much, Emerson. Your testimony is very helpful to us and gives us a firsthand view of a different aspect from the viewpoint of the North American Native Church. Thank you very much.

Mr. JACKSON. Mr. Chairman, I would like to say that I do not like to lose my Indian ways; I like to preserve them, and I like to pass them on to my children and my grandchildren. It seems to me that I am not very effective in doing it myself. Perhaps if it were preserved in this setting, it would be helpful.

Thank you very much.

Senator MELCHER. Thank you very much, Emerson.

This concludes our witness list today. We will hold the hearing record open for 15 days because we do have other written testimony to be submitted.

Without objection, we will include in the record at this point the explanatory staff memorandum on the issue and the letter from the Department of the Interior dated July 29, 1980.

[The memorandum and letter follow:]

[illegible]

United States Senate

SELECT COMMITTEE ON INDIAN AFFAIRS
WASHINGTON, D.C. 20510

MEMORANDUM

To: Senator John Melcher

From: Max Richtman and Susan Long

Date: July 29, 1980

Re: Hearing on S. 2166 - a Bill to Provide for the Development of Native American Culture and Art

PURPOSE

The purpose of this bill is to not only combine the functions of the Institute of American Indian Arts in Santa Fe, New Mexico, and the Indian Arts and Crafts Board, but also to create a new national Institute of Native American Culture and Arts Development. In addition to combining the two existing programs, the bill provides for expanding the Institute to offer new features, including 1) a Center for Culture and Art Studies, which will include Departments of Traditional Arts and Sciences, Visual Arts, Performing Arts, Language and Literature; 2) a Center for Native American Scholars, which will administer research and fellowship programs as well as publications; 3) a Center for Cultural Exchange, which will co-ordinate the United States' participation in the Inter-American Indian Program and will promote the marketing and exhibition of Indian arts; and 4) a Museum of Indian Arts, which will be derived from the museum which presently exists at the Institute.

Another purpose of S. 2166 is to remove from the BIA the responsibility for the operation of the Institute. It currently administers the programs at the Institute in Santa Fe and does a poor job of it. The institute described in A. 2166 would not be under the jurisdiction of any federal agency. Instead, a nineteen member Board of Trustees would be responsible for the Institute's administration. Twelve of the members would be appointed by the President of the United States, a majority of whom would be Native American, and all of whom would be recognized in the field of Indian art and culture. Also comprising the Board would be the Secretaries of the Interior, Department of Education, the Smithsonian, the Chairmen of the National Endowments for the Arts and the Humanities, the Librarian of Congress and the President of the Institute.

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BACKGROUND OF INSTITUTE OF AMERICAN INDIAN ARTS (IAIA)

The Institute of American Indian Arts in Santa Fe, New Mexico is the only national junior college offering an education to all tribes in the field of culture and art of the Native American. It was established in 1962, at the site of an industrial vocational school which was originally established for "Pueblo and other Indians" in 1890.

An audit conducted in June of 1979 by the Inspector General of the Department of the Interior reported that the Institute is severely underutilized. The enrollment was down to 140 from a high of 320 in 1976-77 and the cost per pupil was $13,096 - almost double the comparable figures for the BIA's other post secondary schools. The responsibility for the mismanagement goes to the BIA, which has shifted authority for the Institute from the Area Office in Albuquerque to the Central Office repeatedly. A series of acting presidents have presided over the Institute since its inception.

On March 1, 1979, the All Indian Pueblo Council entered the picture when it applied to contract with the BIA for the operation of the Institute's campus. The All Indian Pueblo Council intended to use the facilities to house its Albuquerque Indian School, due to the fact that many of the buildings on that campus are condemned. The Albuquerque Indian School is 15th on the school construction priority list in the BIA for FY 81. The All Indian Pueblo Council feels that the school was established in 1890 for Pueblos and should return to its original purpose. The All Indian Pueblo Council was denied the contract because of a provision in the Indian Self-Determination Act which precluded the BIA's consideration of the contract application without the approval of each tribe served by the Institute of American Indian Arts.

The BIA, under the direction of Forrest Gerard, was sensitive to the needs of the Pueblo students. On July 11, 1979, Gerard issued a statement that grades 10 through 12 of the Albuquerque Indian School would be transferred to Santa Fe to share the campus with the Institute students. At the same time, he announced that he would appoint a review team to study the future of the Institute of American Indian Arts. This was facilitated with the support of the New Mexico congressional delegation. The BIA reported that it was considering transferring the functions of the Institute of American Indian Arts to Haskell Junior College

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in Kansas, so that the Pueblo Council would eventually have access to the entire Institute campus.

By this time, many groups of Indians and non-Indians nationwide, became increasingly aware that the fate of the Institute of American Indian Arts might be decided quickly and not in the best interests of the Institute itself. Congressman Yates chaired an Interior Appropriations Subcommittee Hearing on the status of the Institute on September 6, 1979, at which support for the continued existence of the Institute at Santa Fe was voiced from a wide range of witnesses. Yates was wary of the BIA's commitment to the Institute and its capability to provide a quality education for the students.

Although Forrest Gerard resigned his position, the review panel he appointed to study the future of the Institute submitted its final report to Under Secretary James Joseph in May of 1980. In June, Under Secretary Joseph sent a memorandum to the Assistant Secretary for Indian Affairs with the following directions:

1) The Institute will continue in operation at its campus in Santa Fe.

2) Responsibility for the Institute will be transferred from the Bureau of Indian Affairs to the Office of the Assistant Secretary for Indian Affairs.

3) Until we are able to provide safe quarters for them at the Albuquerque Indian School, Grades 10, 11, and 12 from that school will remain at the Santa Fe campus.

4) The Assistant Secretary for Indian Affairs should take immediate steps, working with the Facility Construction and Operation Improvement Division (FCOID) to seek appropriation of funds to implement the FCOID's rehabilitation plans for the Albuquerque Indian School. If possible, the work should be scheduled for completion in time for the return of the high school students by Fall 1982.

5) A plan should be developed immediately for the joint use of the campus until the AIPC students return to Albuquerque.

Under Secretary Joseph's memorandum made it clear that the Institute of American Indian Arts is a national facility available

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to all tribes and that the All Indian Pueblo Council is a temporary occupant. Joseph concluded that the Administrator of the Institute would be in complete charge of the facility and of the use of classroom and other space. This, of course, is not acceptable to the Pueblos (Attached are copies of Joseph's memorandum to the Acting Assistant Secretary and the response of the All Indian Pueblo Council).

In an effort to locate an adequate and acceptable facility for the Institute for the Development of Native American Art and Culture, the Committee has made site visits to the Southwestern Indian Polytechnical Institute (SIPI) as well as to Haskell Junior College in Lawrence, Kansas. One possible scenario which seems to meet the least amount of resistance would involve establishing the Institute at the SIPI facility outside of Albuquerque and transferring SIPI's vocational education program to Haskell Junior College. All evidence indicates that Haskell could absorb the SIPI students and, in fact, would be well served in doing so since Haskell's own vocational education program is vastly underutilized and has, therefore, been severely criticized during the past few years. Under this proposal, the Pueblos would move their entire high school operation to the existing Santa Fe facility.

SECTION-BY SECTION ANALYSIS

Sec. 1 is the enacting clause which entitles the Act as the "Native American Culture and Art Development Act."

Section 2 - Congressional Findings. The findings section sets forth the importance of Indian arts and crafts in the United States and emphasizes the federal role in encouraging the supporting Indian arts and crafts through a centralized program.

Section 3. This section defines a number of terms used throughout the bill. The definition of Indian or Native American, for purposes of this bill, means "any person who is a member of an Indian tribe or a descendant of indigenous inhabitants of the United States". This definition would allow expressions of Native Hawaiian arts and crafts to be included within the Scope of the Act.

Section 4 establishes a Board of Trustees which would direct and control the Institute. As the bill is drafted, the Board would consist of nineteen members, twelve of whom shall be appointed by the president from private life (a majority of whom shall be Native American). The remaining seven members shall consist of the Secretary of the Interior, the Secretary of Education, the Secretary of the Smithsonian Institution, the Chairman of the National Endowment for the Arts, the Chairman of the National

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Endowment for the Humanities, the Librarian of Congress, and the President of the Institute. The members appointed from private life shall reflect appropriate regional and tribal representation. The term of office shall be six years with no member permitted to serve more than two consecutive terms. The initial chairman and vice-chairman of the Board shall be appointed by the president for a one year term. Thereafter, these officers shall be elected by the trustees for two year terms. The president of the Institute shall be appointed by the Chairman of the Board after consultation with the Board and shall serve as the chief executive officer of the Institute. The president will have the responsibility for conducting the daily activities of the Institute, which includes authority over all Institute personnel. The Board shall be permitted to adopt an official seal and to make its own by-laws and rules by which the Board and Institute will operate. A number of the Board's powers are almost identical to those of similar organizations (such as the American Folklife Center, the Woodrow Wilson Institute for Scholars and the National Endowment for the Arts) and include the authority to obtain the services of consultants and volunteers who can be reimbursed for their expenses, the authority to solicit, accept and dispose of gifts and property for the benefit of the Institute, the authority to receive grants from federal, state and local governments and public and private institutions and individuals, and the authority to acquire, hold and dispose of real property.

Section 4(m) of the bill provides for the transfer of the Institute of American Indian Arts facility in Santa Fe, New Mexico, to the Institute.

Section 5 of the bill establishes a number of centers within the Institute, including: 1) a center for culture and art studies; 2) a center for Native American scholars; 3) a center for cultural exchange; and 4) a museum of Indian arts. Each center is to be administered by a director appointed by the president of the Institute with the approval of the Board.

Section 6 transfers the functions of the Institute of American Indian Arts and the Indian Arts and Crafts Board to the Institute for the Development of Indian Art and Culture.

Section 7 requires the president to file an annual report with the Board which will include a detailed statement of private and public contributions to the Institute.

Section 8 authorizes $4 million to be appropriated for FY 1981 to carry out this act and authorizes such sums as may be necessary for each succeeding fiscal year. The $4 million figure was arrived at by adding $1 million to the current (FY 1980) funding for the Indian Arts and Crafts Board and the Institute of American Indian Arts, including maintenance costs.

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LEGISLATIVE HISTORY

S. 2166 was introduced by Senators Melcher, Burdick, Hatfield and Inouye on December 20, 1979. In addition, the following cosponsors were later added: Young, Goldwater, Matsunaga, Pressler, Baucus, Hatch, Domenici and DeConcini. Congressman Barber Conable introduced a companion measure in the House, H.R. 6266, on January 23, 1980.

On March 18, 1980, Congressman Yates introduced H.R. 6850, which would bring the authority for the Institute under the Indian Arts and Crafts Board and would require all students who were not enrolled at the Institute to vacate its campus in three years. The House Interior Committee on Interior and Insular Affairs held hearings on H.R. 6850 on July 1, 1980. No further action on the Yates bill has been scheduled.

Attachments

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ALL INDIAN PUEBLO COUNCIL

1980 RESOLUTION #15

WHEREAS, the Department of Interior, through the BIA, has issued a Policy Statement dated June 12, 1980, which gives BIA personnel the authority to sanction tribal governments for failure to meet the Departmental guidelines in the wake of the Supreme Court Ruling in the Martinez v. Pueblo of Santa Clara case; and,

WHEREAS, the Policy Statement issued by the Department of Interior authorizes the Area Director, Superintendent, and/or the BIA Central Office the authority to abrogate treaty rights, abolish tribal governments, and stop BIA funding to tribal governments; and,

WHEREAS, the Policy Statement was ill-conceived and is contrary to all existing principles of Indian law;

NOW, THEREFORE BE IT RESOLVED that the All Indian Pueblo Council deplores the action of the Acting Assistant Secretary of Interior for Indian Affairs and requests that the Secretary of Interior reverse this action and that the Department of Interior instruct the BIA to follow the Policy of non-interference in the relationship between tribal governments and their members.

BE IT FURTHER RESOLVED that the Chairman of the All Indian Pueblo Council, Mr. Delfin Lovato, is mandated to seek congressional oversight hearings on this matter and overall BIA operations at the earliest possible date.

CERTIFICATION

The foregoing Resolution #15 was duly adopted at an officially called meeting of the All Indian Pueblo Council held on the 9 day of July, 1980 with 17 voting for, Ø voting against, Ø abstaining. A quorum was present.

ATTESTED:

Frank Tenorio, Secretary-Treasurer

Delfin J. Lovato, Chairman

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JAN 25 1980

Memorandum

To: Acting Assistant Secretary - Indian Affairs

From: Under Secretary

Subject: Institute of American Indian Art

The Departmental Task Force on the IAIA has submitted to me its final report and recommendations on the Institute. In that regard, I have made the following decisions:

1. The Institute will continue in operation at its campus in Santa Fe.

2. Responsibility for the Institute will be transferred from the Bureau of Indian Affairs to the Office of the Assistant Secretary for Indian Affairs.

3. Until we are able to provide safe quarters for them at the Albuquerque Indian School, Grades 10, 11, and 12 from that school will remain at the Santa Fe campus.

The following steps, however, must be taken to clarify the situation for both student bodies, faculties and administrations:

a. Inasmuch as the IAIA is a national facility for all tribes, the AIPC a temporary occupant, the Administrator of the IAIA must be in full charge of the physical facilities on the campus. The AIPC, as a contractor under the Indian Self-Determination Act, must retain complete control over its curriculum, students, etc.

But decisions on the use of classrooms and other campus space also affect the IAIA students and, as such, are the proper concern of the Administrator.

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b. The AIPC must provide its own library for the high school students. The IAIA library is a specialized collection for art education. Steps must also be taken to minimize disruption to IAIA students' use of the library facilities.

4. The Assistant Secretary for Indian Affairs should take immediate steps, working with the Facility Construction and Operation Improvement Division (FCOID) to seek appropriation of funds to implement the FCOID's rehabilitation plans for the Albuquerque Indian School. If possible, the work should be scheduled for completion in time for the return of the high school students by Fall 1982.

5. A plan should be developed immediately for the joint use of the campus until the AIPC students return to Albuquerque.

6. The budget of the IAIA now reflects maintenance costs for all campus facilities, even those used by the AIPC for its contract program. Costs attributable to maintenance of AIPC contract space should be separated so the per student costs of the Institute accurately reflect only those costs associated with the IAIA.

7. The Assistant Secretary for Indian Affairs shall immediately assemble a management team, using personnel selected by the Assistant Secretary for Policy, Budget and Administration, the Director of Indian Education Programs, and the Native American Council of Regents to develop a plan for the efficient management of the Institute. The team should take into account the recommendations of the Inspector General's Report on the Institute.

8. Finally, the Assistant Secretary for Indian Affairs should take immediate steps to formalize, clarify, and strengthen the role of the Native American Council of Regents with the goal of making the Council responsible, to the extent possible, for the future administration of the Institute. Recommendation No. 75 of the Education Task Force of the American Indian Policy Review Commission and NACOR's 1978 position paper on the future of the IAIA should be considered in this regard.

If you have questions about these decisions, please let me know. Darrell Knuffke, Deputy Under Secretary, will continue to be involved in this matter; you may call on him for any help and support necessary. Thank you for your cooperation.

James A. Joseph

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Jul 2 ..

AIPC

Mr. Delfin Lovato, Chairman
All Indian Pueblo Council
P.O. Box 6507
1015 Indian School Road, N.W.
Albuquerque, New Mexico 87107

Dear Mr. Lovato:

Thank you for your assistance with the Task Force Report on the Institute of American Indian Art (IAIA). My final decision to rehabilitate the Albuquerque Indian School facility was contrary to the recommendation made by the Advisory Committee at the meeting in Santa Fe and I would like to explain why I decided as I did. In these times of scarcity when every agency of government is facing fiscal constraints, it would be irresponsible to propose spending the estimated $25 million necessary to build a new Institute, particularly in light of the fact that we have yet to establish a long-term record of efficient operation at the present campus.

I certainly recognize the concern of Pueblo parents that their children be housed in safe, pleasant surroundings and the Department intends to achieve that by renovating Albuquerque Indian School. In addition, I support and concur with the Advisory Committee's resolution that the administrator on the IAIA campus work out some method of coexistence until the Albuquerque Indian School students are able to return to Albuquerque. Since the hoped-for agreement never materialized, I have asked the Assistant Secretary to provide for the shared use of the campus. In addition, in order to eliminate any questions about the authority for use of the campus' physical facilities, I have directed that the IAIA administrator be placed in full control of the facilities at the Institute.

I believe that these steps and the others set out in the attached memorandum will ensure the future of the Institute and the adequacy of the educational facilities available to the All Indian Pueblo Council. Your efforts and concern have been greatly appreciated.

Best wishes,

James A. Joseph
Under Secretary

Attachments

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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Institute of American Indian Arts
Cerrillos Road
Santa Fe, New Mexico 87501

IN REPLY REFER TO:
Office of the
President

RECEIVED JUL 7 1980

JUL 03 1980

Memorandum

To: Joseph Abeyta, SFIS Superintendent

From: Acting President, IAIA

Subject: Separation of IAIA/SFIS Libraries

In order to provide quality library services in the future to students of both IAIA/SFIS educational programs, we must proceed at this time to implement a plan which will address the concerns students and staff have expressed during recent months in terms of the use of space, personnel, and resources.

Initially this can be accomplished by relocating SFIS library staff and resources in the Library Annex. This action will also necessitate transferring IAIA instructional activities currently centered in the Library Annex to the Fine Arts Building where no instructional space will be available to the SFIS program next year.

IAIA and SFIS staff will need to work together to accomplish these moves by August 1, 1980.

Charles Poitras

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July 16, 1980

MEMORANDUM

TO : Jon Wade, President, IAIA

FROM: Joseph Abeyta, Superintendent, SFIS

SUBJ: SFIS/IAIA Library

Your request regarding a plan for relocating our library is totally unacceptable and quite honestly it leaves a great deal to be desired in terms of an equitable approach to solving the space needs that exist regarding both programs.

Joseph Abeyta
Superintendent

JA/cc

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IN REPLY REFER TO:

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
ALBUQUERQUE AREA OFFICE
P.O. BOX 8327
ALBUQUERQUE, NEW MEXICO 87108

Office of Self-Determination

MAY 16 1980

Mr. Delfin Lovato
Chairman, All Indian Pueblo
Council, Inc.
P. O. Box 6507
Albuquerque, New Mexico 87107

Dear Chairman Lovato:

Your three year contract proposal for the Albuquerque-Santa Fe Indian School was received in the Area Office of Self-Determination on July 15, 1980. Please be assured that we will expedite action and keep you fully informed on our regulated review.

If you should have any questions, please contact the Area Office of Self-Determination at 766-3481.

Sincerely yours,

Area P. L. 93-638 Coordinator

cc: Mr. Frank Tenorio

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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Institute of American Indian Arts
Cerrillos Road
Santa Fe, New Mexico 87501

IN REPLY REFER TO:
Presidents Office

July 17, 1980

Mr. Joseph Abeyta, Superintendent
Santa Fe Indian School
Santa Fe, New Mexico 87501

Dear Mr. Abeyta:

As the Chief Administrator for the Institute of American Indian Arts and as the designated responsible person for all campus facilities as stated by the Under Secretary's memorandum of June 25th, 1980, please let this letter serve as official notification that any proposed additions, alterations, modifications or fabrication to any campus facility must be approved by my office prior to any work being started, includes grounds, athletic playing areas, streets and parking areas.

I have notified my staff that this same procedure will be followed by all users of campus facilities.

Your adherence and compliance to this directive by you and your staff will be most appreciated.

Sincerely,

Jon C. Wade
President

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ALL INDIAN PUEBLO COUNCIL, INC.

OFFICE OF THE CHAIRMAN

1015 Indian School Road, N.W. P.O. Box 6507 Albuquerque, New Mexico 87197 Phone (505) 247-0371 ext. 224/225

TELEGRAM

July 17, 1980

Sidney L. Mills
Acting Assistant Secretary/Indian Affairs
Bureau of Indian Affairs
Main Interior Building
1951 Constitution Avenue, N.W.
Washington, DC 20245

Dear Mr. Mills:

Current developments at the Santa Fe Indian School campus as carried out by the Institute of American Indian Arts administration impacts into our ability to provide a continuing education facility and program as agreed upon by the All Indian Pueblo Council and your office.

To deny use of facilities of our students and staff severely violates the principles under which the contract (93-638) was consumated. Before any further interferance into our plan school program is allowed, we insist that you personally put a halt to any further interferance until the Santa Fe Indian School Board and the Chairman of the All Indian Pueblo Council sit in session with you. This is an official request for such a session.

Sincerely yours,

ALL INDIAN PUEBLO COUNCIL

Frank Tenorio, Chairman
Santa Fe Indian School Board

FT/tl
cc: Jim Joseph
Select Committee on Indian Affairs
Bill Hallett, Commission of Indian Affairs
Operator #: 683
Date: 7/17/80
Time: 4:50 p.m.
By: Tina Lujan

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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Institute of American Indian Arts
Cerrillos Road
Santa Fe, New Mexico 87501

IN REPLY REFER TO:
Administration

18 JUL 1980

Mr. Joseph Abeyta, Superintendent
Santa Fe Indian School
1300 Cerrillos Road
Santa Fe, New Mexico 87501

Dear Mr. Abeyta:

We're disappointed you found our request of July 3, 1980, to vacate the Institutes library "totally unacceptable". However, our request still stands; we expect you to relocate your books, audio-visual and other media material to the library annex by end of day, August 1, 1980.

If you desire moving assistance from the Institute's facilities staff, please arrange through Mr. Ben Robbins, our Administration Officer.

If you have any questions, please contact me.

Sincerely,

Jon C. Wade
President

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July 21, 1980

Dear Mr. Abeyta:

Please be advised that approval for the installtion of bookshelves in our library has not been granted by this office and no work should convene until such time as approval is given by this office.

Inasmuch as you have bren asked to relocate your library materials to the library annex it is inappropriate for you to consider this proposed action.

As the chief administrator of IAIA and the person charged with responsibility for these facilities any such action must be considered as unauthorized activity of Federal property.

sgd/Jon Wade

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ALL INDIAN PUEBLO COUNCIL, INC.

OFFICE OF THE CHAIRMAN

1015 Indian School Road, N.W. P.O. Box 6507 Albuquerque, New Mexico 87197 Phone (505) 247-0371 ext. 224/225

July 21, 1980

Honorable John Melcher
Senate Select Committee on Indian Affairs
313 Russell Senate Office Building
Washington, DC 20510

Dear Senator Melcher:

While the All Indian Pueblo Council (AIPC) has patiently awaited the outcome of your efforts to find an acceptable solution to the controversy which surrounds the future of the Institute of American Indian Arts (IAIA) and the Santa Fe Indian School (SFIS), under contract to the Pueblo tribes, the Department of Interior and Bureau of Indian Affairs have without consideration for the education of approximately 350 Pueblo, Apache, and Navajo children, taken the following action:

A. Deputy Under-Secretary of Interior, Jim Joseph has advised the AIPC that we will be moved from Santa Fe to Albuquerque by 1982.

B. The Albuquerque Indian School (AIS) will be rebuilt at its present location at an estimated cost of $7-12 million over the next three years (depending on whose figures you use).

C. The facilities at the Santa Fe campus have been placed under the sole jurisdiction of the IAIA Acting Superintendent.

(1) As a result we are being denied the use of a library facility for our high school students after August 1, 1980.

(2) We will be denied the use of some classrooms beginning September, 1980. Again, door locks are being changed.

D. We have been denied the right to transfer portable classrooms unites from Albuquerque to Santa Fe for no reason.

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E. Maintenance and renovation of athletic facilities have been denied, jeopardizing our entire football program. Again, for no reason..

These actions are totally contrary to the recommendations of the Task Force appointed by Secretary Joseph himself and is contrary to the desire of the vast majority of Indian tribes in this country, including the two national Indian organizations, the National Congress of American Indians and the National Tribal Chairman's Association. Furthermore, this ill-advised action totally disregards the following facts:

1. The Santa Fe facility was grossly under-utilized by IAIA for the past 18 years. The facility was built for 504 students. Yet, in FY '80 only 114 students started the unaccredited secondary art program.

2. The Institute of American Indian Arts, Southwestern Indian Poly-technic Institute, and Haskell Indian Junior College all under BIA jurisdiction, will continue to be plagued by low enrollment, mismanagement, and gross under-utilization of facilities.

3. The AIS facilities is in a location totally adverse to the education of Indian children. Murders, drugs, assult and battery, and drinking, have been a constant problem at the campus. A city street runs in the center of the campus making it impossible to control. The Albuquerque Police Office, the FBI, and other law enforcement personnel including BIA have denied jurisdiction.

4. The Pueblo Tribes will not return to AIS, therefore, the renovation of AIS is a waste of time, effort, and resources.

We urgently request that you and the Senate Select Committee intercede on behalf of our children and in support of our effort at self-determination in the education of our children.

Thank you for your continued efforts. We are basically in support of your effort to have IAIA to SIPI. We see no other logical alternative.

Sincerely yours,

ALL INDIAN PUEBLO COUNCIL

Delfin J. Lovato
Chairman

DJL/tl

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EPARTMENT of the INTERIOR

news release

REC'D JUL 01 1980

OFFICE OF THE SECRETARY

For Release June 27, 1980 Wilson (202) 343-3171

INTERIOR UNDER SECRETARY JOSEPH DECIDES
INDIAN ART INSTITUTE TO REMAIN IN SANTA FE

Interior Under Secretary James A. Joseph said today that the Institute of American Indian Art will continue its operations at its campus in Santa Fe, New Mexico.

However, Joseph said that responsibility for the Institute will be transferred from the Bureau of Indian Affairs to the Office of the Assistant Secretary for Indian Affairs.

"This Institute is a unique and valuable cultural asset--not just to Native Americans but to all Americans," said Joseph. "It must not only survive; it must expand and grow. While there have been problems over the years--problems of management, guidance and attendant declining enrollment--I believe these can be overcome and I have directed an intensive effort to that end."

Meanwhile, Joseph said, Grades 10, 11 and 12 from the Albuquerque Indian School will continue to use a portion of the Institute's campus until facilities at the Albuquerque school can be renovated and are again suitable for their use. The three grades were allowed to move to the Institute last fall because space was available there and some of the buildings in Albuquerque were considered unsafe for use. The joint use of the campus has caused considerable tension among the students, faculty and administrations of both schools.

Founded as a high school level art school in 1962, the Institute now provides a two year post high school curriculum for Indian students. The Albuquerque Indian School was founded as a Presbyterian sponsored school in 1881, taken over by the U.S. Government in 1886 and operated as an Indian boarding school for 90 years. It is now managed by the All-Indian Pueblo Council under the provision of the Indian Self-Determination Act.

Joseph said he has directed the Assistant Secretary for Indian Affairs to develop interim plans for the two schools to share the facilities in Santa Fe while developing plans and schedules for the rehabilitation of the Albuquerque campus.

"At the same time I have asked the Assistant Secretary to develop plans for the efficient management of the Institute with substantial input from the Native American Council of Regents working toward the goal of eventually establishing Native American administration of the facility."

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 31 1980

Honorable John Melcher
Chairman, Select Committee on
Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to your request for our views on S. 2166, a bill "To promote the development of Native American culture and art."

We oppose the enactment of S. 2166.

S. 2166 would establish the Institute of Native American Culture and Arts Development and would transfer the functions, personnel, and property of the Institute of American Indian Arts and the Indian Arts and Crafts Board from the Department of the Interior to the newly established Institute. The bill would provide that the proposed Institute would be administered by a 19-member board of trustees, including 12 private individuals appointed by the President (7 of whom are to be Native Americans) and certain specified officials.

The Indian Arts and Crafts Board was established in the Department of the Interior by the Act of August 27, 1935 (49 Stat. 891; 25 U.S.C. 305). Its purpose is to promote the economic welfare of Indians through the development of Indians arts and crafts production and the expansion of the market for such arts and crafts products. The Board has proved to be very successful in this important work.

The Institute of American Indian Arts (IAIA) was created by the Secretary of the Interior in 1962. It was opened that year to 140 carefully recruited students in the 10th through 12th grades, and to a few post-high school studio students who took two post-secondary academic courses. Emphasis at that time was upon the secondary programs.

From the beginning the Institute has been a progressive arts school which has encouraged its students to draw upon their cultural heritages while experimenting in such non-traditional areas as creative writing, performing arts, filmmaking, photography, and new forms of painting. The purpose of this approach was summed up in the Institute's statement of philosophy:

> The underlying philosophy of the program is that unique cultural tradition can be honored and can be used creatively as the springboard to a meaningful

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> contemporary life.... The Institute holds that cultural differences are a rich wellspring from which may be drawn new creative forces relevant to contemporary conditions and environments. We believe that, ultimately, by learning to link the best in Indian culture to contemporary life, the young Indian will be able to solve his own problems and enrich the world scene in the process.

During its first five years, the work of the Institute's students attracted widespread attention throughout the Nation for its artistic validity and vitality in the fields of creative writing, fine arts, crafts, and performing arts. In 1967, the Institute embarked on an expansion of its professional training programs. The successful expansion was recognized by the Senate Committee on Labor and Public Welfare, which in a 1969 report recommended that the Institute be raised to the level of a four-year college and noted that the Institute had shown considerable success in instilling pride in Indian students by providing them with opportunities for creative expression. In recent years, the Institute has gained accreditation to grant the Associate of Fine Arts degree and, as an accredited institution, has the endorsement of the National Association of Schools of Art. The Institute is well on its way to achieving accreditation as a four-year institution.

Institute graduates are establishing a record as practicing artists as they mature in their careers. Their works make up an invaluable collection of contemporary art in a variety of media which is housed in the IAIA Museum in Santa Fe. The collection is in great demand and is often on loan to other national and international institutions. IAIA's position as a leader in minority cultural development was pointed out in the 1979 UNESCO Report, "Educating Artists, Craftsmen, Designers." In the report, IAIA was cited as one of seven outstanding arts education institutions in the world.

It is true that the Institute has suffered from inconsistent direction and support over the years. A recent additional problem was the decision to transfer high school students from the Albuquerque Indian School to the Institute's Santa Fe campus. Many already concerned about the Institute's future viewed this as a serious threat. The tensions which have resulted from the joint use of the campus have served neither the Institute nor the high school students; indeed, the accreditation of both institutions has been jeopardized in the process.

While we share the concerns underlying S. 2166, we do not believe that those concerns would be served by removing the present Institute and the Indian Arts and Crafts Board from the Department of the Interior. The Department has historically been the primary

administrator of the Federal-Indian relationship. We believe that the Institute derives much of its artistic vigor from its association with the broader world of Indian Affairs and that both it and the Board would suffer were they to be isolated from that world. Under S. 2166 Indian participation and influence in decisionmaking with respect to the proposed Institute would be much more limited, not only because the proposed Institute would be removed from the leadership and guidance now available through the Office of the Assistant Secretary for Indian Affairs and other organizations such as the Native American Council of Regents (NACOR), but because Indian representation on the proposed Institute's board of trustees could be limited to as few as 7 out of 19 members.

In addition, we believe that the purpose now served by the present Institute and the Board could be weakened under the definition of the term "Indian or Native American" in S. 2166. Under its terms, anyone claiming to be a "descendant of an aboriginal inhabitant" of the United States could be considered an Indian for purposes of the Act. We believe that a definition this broad could seriously dilute the present focus of the Institute and the Board.

The Indian Arts and Crafts Board is presently operating smoothly and effectively within the Department. We believe its transfer to the proposed Institute is thus unnecessary and could result in substantial disruption of the Board's operations. In addition, we believe that a recent Secretarial decision transferring the present Institute from the Bureau of Indian Affairs to the Office of the Assistant Secretary for Indian Affairs serves the goals at which S. 2166 aims with respect to the present Institute. We believe that this decision, along with other measures discussed below, will preserve the Institute, foster its achievement of the promise so apparent in past years, and give it the attention, visibility, and support it deserves.

Other measures we plan to take with respect to the Institute are to—

(1) seek the immediate renovation of the Albuquerque Indian School so the Pueblo students can be returned as promptly as possible to safe classrooms and dormitories and so the Santa Fe campus can be restored to the use of the Institute;

(2) develop an efficient management strategy for the Institute through a management team recently established by the Assistant Secretary for Indian Affairs, using the resources of the Office of Policy, Budget, and Administration, the Office of Indian Education, and such

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other resources as are necessary from within and outside the Department;

(3) place full authority for the Santa Fe campus in the hands of the President of the Institute to eliminate the tensions which now stem from shared administration; and

(4) work with the Native American Council of Regents in developing long-range goals for the Institute and to clarify and strengthen the Council's status so it can assume, to the extent possible, the functions normally associated with boards of regents in the management of post-secondary schools.

We are committed to the preservation of the Institute and the Indian Arts and Crafts Board and to the achievement of their purposes. We believe that this preservation and achievement can best be assured through the resources available to this Department. We therefore oppose the enactment of S. 2166.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

James A. Joseph

Acting SECRETARY

Senator MELCHER. Thank you all very much.
The hearing stands adjourned.
[Whereupon, at 12:15 p.m., the hearing was adjourned.]

STATEMENT AND CORRESPONDENCE RECEIVED SUBSEQUENT TO THE HEARING

STATEMENT OF VIRGIL GUNN, CHAIRMAN, COMMITTEE ON HEALTH, EDUCATION, AND WELFARE, COLVILLE BUSINESS COUNCIL

Mr. Chairman, I appreciate the opportunity to testify on behalf of the Confederated Tribes of the Colville Reservation concerning S. 2166—the Native American Culture and Art Development Act.

S. 2166 would establish a national Institute of Native American Culture and Arts Development. The Institute would include a Center for Culture and Art Studies, a Center for Native American Scholars, a Center for Cultural Exchange, a Museum of Indian Arts, and any other centers or programs which the Institute determines appropriate to preserve, support, revitalize and disseminate Indian art and culture.

The Institute would be governed by a Board including the Secretaries of the Smithsonian Institution and the Departments of Interior and Education, the Chairman of the National Endowments of the Arts and the Humanities, the Librarian of Congress, and thirteen other members.

Of particular interest to the Colville Condederated Tribes is the impact of this measure on the Institute of American Indian Arts (IAIA) in Santa Fe, New Mexico. We believe that it is vital to preserve the IAIA and to enhance its management and its programs. This is one of the excellent goals of S. 2166.

While we support this goal, we have serious concerns regarding the wisdom and appropriateness of placing the governance of the IAIA under the Board of the proposed Institute of Native American Culture and Arts Development. The IAIA serves as an arm of the U.S. Department of the Interior, which is charged with the primary responsibility for discharging the nation's trust obligation to American Indian tribes. One of the most important of these obligations is education. Transfer of the IAIA to an Institute which has purposes other than, and potentially conflicting with, the Federal trust responsibility can seriously erode its value to Indian people; set an unwanted precedent for spinning off other DOI trust programs to other boards, institutes, and Federal agencies; and impair the government-to-government relationship that presently exists between the United States and the tribes.

The overwhelming majority of Indian tribes and the Colvilles opposed and the last Congress defeated an Administration proposal to transfer BIA education programs from the Department of the Interior to the Department of Education. We also oppose transferring education piecemeal from DOI.

For the same reasons we oppose the transfer of the Indian Arts and Crafts Board to the proposed new Institute.

Recognizing that the IAIA has not yet realized its full potential of service to the tribes under the BIA, we support the recommendation of U.S. Representative Sidney R. Yates that S. 2166 be amended to:

(1) Retain the provisions of H.R. 6850, transferring authority over IAIA from BIA to the Indian Arts and Crafts Board;

(2) Delete provisions of S. 2166 which transfer the functions of IAIA and the Indian Arts and Crafts Board to the Board of Trustees of the Institute of Native American Culture and Arts Development; and

(3) Add the Chairman of the Indian Arts and Crafts Board to the Board of Trustees of the Institute of Native American Culture and Arts Development, in order to ensure the counsel of the Arts and Crafts Board toward the goals of the Act.

We thank the Committee for its concern for the preservation and encouragement of Indian arts and culture and for the opportunity to present our views.

The previous numbered page in the original document was blank.

NATIONAL ENDOWMENT FOR THE ARTS
WASHINGTON D.C. 20506
A Federal agency advised by the National Council on the Arts

REC'D AUG 1980

August 8, 1980

Honorable John Melcher
Chairman
Select Committee on Indian Affairs
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

As you know, the National Endowment for the Arts was unable to present testimony at the Committee's recent hearings on S. 2166. Please accept our apologies for any inconvenience this may have caused the Committee.

We shall be forwarding some views on this bill to the Committee very shortly, pending review by the Office of Management and Budget. We hope these views will become part of the hearing record.

We are grateful for the opportunity to contribute to the Committee's consideration of S. 2166.

Sincerely,

Livingston L. Biddle

Livingston L. Biddle, Jr.
Chairman

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SMITHSONIAN INSTITUTION
Washington, D.C. 20560
U.S.A.

August 20, 1980

Honorable John Melcher
Chairman
Select Committee on Indian Affairs
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Thank you for your letter requesting the views of the Smithsonian Institution on S. 2166, a bill to promote the development of Native American culture and art.

The bill provides for the establishment of an Institute of Native American Culture and Arts Development under the control of a Board of Trustees. It envisions the creation within the Institute of a Center for Culture and Art Studies; a Center for Native American Scholars; a Center for Cultural Exchange; a Museum of Indian Arts; and other programs that would appropriately "preserve, support, revitalize, and disseminate Indian art and culture."

The bill also provides for the transfer of the functions of the Institute of American Indian Arts, established by the Secretary of the Interior in 1962, and the Indian Arts and Crafts Board (25 U.S.C. 305-309a) to the new organization which would continue to carry them out. An appropriation of $4,000,000 is authorized for FY 81 and such sums as may be necessary are authorized for succeeding fiscal years.

The Smithsonian is well aware of the substantial contributions Indian art and culture have made to the heritage of the Nation. The Institution pioneered the study of Native Americans more than a century ago and we are currently engaged in a range of activities that include research, training, and exhibitions.

The Smithsonian's National Museum of Natural History is a major repository of ethnological materials. The collections of its Department of Anthropology include more than one million specimens from all parts of the world. Particularly important are those representing tribes from

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Canada and the United States and the comprehensive archeological collections for the Plains, Southwest, and Southeast United States. In addition to its specimen collections, the Department houses a specialized library containing more than 50,000 volumes and, like other Smithsonian facilities, it is open to qualified scholars.

The National Anthropological Archives, part of the Department of Anthropology, serves as a depository for its records as well as those of its predecessor organizations. It also collects papers relating to the history of anthropology and is one of the world's greatest resources for the study of American Indians.

The Handbook of North American Indians is a special project of the National Museum of Natural History and will result in a twenty-volume encyclopedia of the cultures, artifacts, territories, and habits of Indians. Four volumes have been published to date, and it is anticipated that the project will be completed within this decade.

Through its Office of Museum Programs the Smithsonian operates a Native American Museum Training Program to assist tribal and urban groups in establishing and maintaining museums and cultural centers. The activities of the program focus on providing technical assistance, communications, and promotion and liaison for Indian, Eskimo, and Aleut groups and individuals interested in learning methods of caring for and exhibiting their ethnographic and aesthetic collections. The training consists of field workshops, seminars, and internships at the Smithsonian and elsewhere, and of cooperative agreements of assistance between established professional institutions and Native American museums. Needs are determined by on-site visitations and requests of the people served. Participation is usually limited to employees of Native American controlled owned, or staffed museums.

The Smithsonian is embarking on a program to revitalize its exhibitions in its Mall museums. It is expected that over the next few years the National Museum of Natural History will be able to devote additional space to improved presentations of Indian culture. In addition, the National Museum of History and Technology is planning to institute a program of exhibitions about Native Americans, and to incorporate them more fully into its American history displays.

With respect to the proposed legislation we have one particular concern -- we oppose the naming of the Secretary of the Smithsonian Institution to the Institute's Board of Trustees. We otherwise defer to the Department of Interior.

The Smithsonian Institution is an independent establishment created by statute (20 U.S.C. 41 et seq.) to carry out trust obligations assumed

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by the United States in accepting the bequest of James Smithson of England. Administered by an automonous Board of Regents composed of the Chief Justice, the Vice President, six Members of Congress, and nine private citizens, and funded by both private and public monies, the Institution is dedicated to the "increase and diffusion of knowledge among men." The Secretary is appointed by the Regents as secretary of the Institution as well as of the Board itself (20 U.S.C. 44) and is responsible for the property and proceedings of the Institution (20 U.S.C. 44).

The Board of Regents considers it inappropriate for the Secretary or other employees of the Institution to participate on governing boards of Executive branch organizations. However, the staff has been encouraged to provide technical assistance to those organizations insofar as possible and is, indeed, happy to do so.

The Office of Management and Budget advises that it has no objection to the submission of this report.

Sincerely yours,

Phillip S. Hughes
Acting Secretary

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St. Martin's Priory
Rt 4 Box 253
Rapid City, S.D. 57701
August 25,1980
REC'D SEP 2 1980

Senator John Melcher
Senate Select Committee on Indian Affairs
U.S. Senate
Washington, D.C. 20510

Dear Senator Melcher:

The art of Native Americans is a spiritual expressio of their deep respect [illegible]ure. In these times of environmental pollution, an[illegible]pect for their art, I urge you to actively support senate [illegible] S. 2166 which would establish a national Institute of Native American Culture and Arts development. I would like to suggest that at least half of the board of directors would be American Indians.

Thank you for your consideration of this bill.

Sincerely,

Sister Therese Marie Furois, OSB

Sr. Therese Marie Furois, OSB

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ST. ANN'S CHURCH
BELCOURT/NORTH DAKOTA 58316

4 September 1980

REC'D SEP 9 1980

Senator John Melcher
Senate Select Committee on Indian Affairs
U.S. Senate
Washington, DC 20510

Dear Senator:

re: Senate bill S.2166 to establish a national Institute of Native American Culture and Arts Development.

I am a Catholic pastor living and working on the Turtle Mountain Chippewa Reservation in North Dakota. I am in full support of anything that would promote the artistic and cultural development of this minority group of U.S. citizens. When the spirit of man is torn from its spiritual roots, the deep inner emptiness and chaos, in time, results in chaos and emptiness in our political and family lives. In my opinion this is what is at the root of most of the difficulties faced by our Native American citizens.

The development of Native American Culture and Arts would also be a great asset to the mainstream of American life. In the short 370 years we have lived on this Continent, we have only begun to deeply sink our spiritual roots, only begun to be 'at home' on the deeper levels, only begun to devel a truly indigenous spirituality and artistic expression. We in the mainstream could learn much of deep value from a proud and self-confident artistic and spiritual expression of the heritage that has developed on this continent for over 10,000 years.

Sincerely,
Rev Donald Marohn
Rev. Donald Marohn

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WISCONSIN PROVINCE OF THE SOCIETY OF JESUS

PROVINCIAL OFFICES • 2100 WEST CLYBOURN STREET • SUITE 200 • MILWAUKEE, WISCONSIN 53233 • 414 / 344-7464

September 11, 1990

1520

The Honorable John Melcher
Senate Select Committee on Indian Affairs
United States Senate
Washington, DC 20510

Dear Senator Melcher:

This letter is in support for Senate Bill S-2166, which would establish a National Institute of Native American Culture and Arts Development.

Indian people universally say that spiritual things must come first, and art rises from the spiritual. I think it would be good not just for our Native Americans, but for all Americans, if our government would show that it is deeply concerned for the spiritual values of a culture.

I pray that God guides and strengthens you and all of our senators in your important work.

Sincerely,

(Rev.) Joseph J. Fabac, S.J.
Provincial

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IRON ROAD ᐊᐊᐣᐱᓇᑎᓂᐅᓂ MUSEUM & CULTURAL CENTER

Emphasizing the Indian point of view on the Railroad

ARROW & SPIKE ASSOCIATION, INC.

DEPARTMENT OF HISTORY & SOCIAL SCIENCE
NORTHERN MONTANA COLLEGE
HAVRE, MONTANA 59501

September 11, 1980

REC

Senator John Melcher
1124 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Melcher:

This is to advise you that at a recent meeting of our organization we discussed Senate Bill 2166 at some length. Our Board of Directors voted not to support the bill at this time.

We feel the bill has the following weaknesses:

1. The proposed board is much too big and would not be in the best interests of Indian people. We feel that so many political appointees serving at the President's pleasure would unduly weight interests in support of federal positions. We also feel that such a large board would not be feasible as a policy making body because it might be impossible to get such a large number of people together. The board as proposed does not bid well for Indian self-determination.

2. We feel that the bill does not address the present lack of encouragement for Indian art on a local and state-by-state basis. The concern is too much concerned with saving an institution we value but does not lay a foundation for getting the best talent to the Institute of American Indian Art.

3. We would prefer to see a hearing on the bill conducted in Montana on some Reservation so we could have greater input.

Thank you for your interest in Indian art and culture.

Sincerely,

Dorothy Small

Dorothy Small
Chairman

cc: Board Members

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